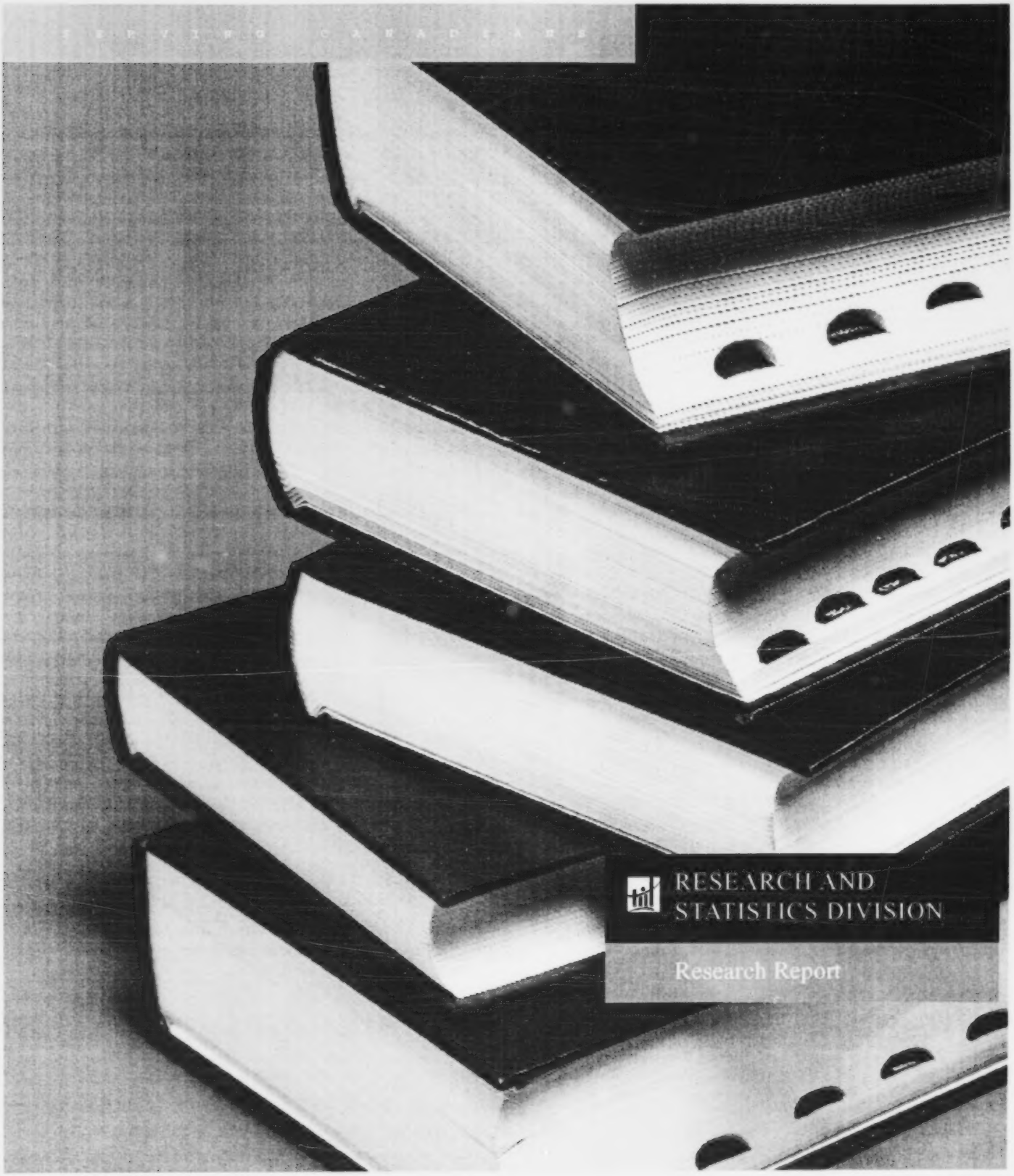

Department of Justice Canada
Ministère de la Justice Canada

Canada

Focus Group Report
Minority Views on the Canadian
Anti-Terrorism Act
(Formerly Bill C-36)

RR03-4e

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Focus Group Report
Minority Views on the Canadian Anti-Terrorism Act
(Formerly Bill C-36)
A Qualitative Study

RR03-4e

Prepared for Department of Justice Canada
Research and Statistics Division

Les études de marché Créatec +

March 31, 2003

The views expressed herein are solely those of the author and do not necessarily reflect those of the Department of Justice Canada.

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I. EXECUTIVE SUMMARY

In December 2001, the Parliament of Canada proclaimed into law the *Anti-terrorism Act* (ATA, formerly Bill C-36). There has been a perception surrounding the enactment of the legislation, as expressed in some media reports for example, that some minority groups may be unfairly targeted as a result of the provisions contained in the legislation. Given this situation, the Research and Statistics Division of the Department of Justice Canada sought to examine how minority groups viewed the different provisions of the *Anti-terrorism Act*. Building on the consultations undertaken with various groups prior to the enactment of the legislation, this study sampled the views of minority group members through focus group discussions across the country. The Research and Statistics Division contracted with the public opinion research firm Créatec in order to conduct the focus groups.

Créatec conducted the focus groups between March 10 and 21, 2003. In total, 16 focus groups were carried out in Halifax, Montreal, Toronto, Calgary, and Vancouver covering 138 male and female participants from approximately 60 ethno-cultural minority backgrounds. Sessions, which had an average duration of 2 hours, were conducted both in English and French.

Focus group participants were selected using random sampling procedures based on telephone lists available for the cities chosen. They were subsequently assigned to three groups covering a wide range of ethnic and visible minority backgrounds based on Statistics Canada's classification of ethnic groups for the 2001 population census. Ethnicity was used as the key selection factor rather than religion or racial backgrounds. Group 1 was made up of individuals reporting Arab and West Asian ethnicities as well as those of North African and Pakistani ethnicity. Group 2 was made up of individuals reporting Black, African, East Asian, South-East Asian and South Asian ethnic origins, excluding Group 1 members. Group 3 comprised individuals of Western, Northern, Central, Southern and Eastern European ethnic origins, including those reporting Aboriginal and Jewish backgrounds. Both immigrant and Canadian-born individuals reporting these ethnic backgrounds participated in these groups.

The moderator's guide for the focus group sessions tapped the following subject areas: (a) awareness of the Anti-terrorism Legislation, (b) reaction to the definition of terrorism, (c) reaction to listing of terrorist entities, (d) reaction to financing of terrorism provisions, (e) reaction to investigative and preventive powers, f) reaction to some mechanisms associated with investigative and preventive powers, g) impact of the *Anti Terrorism Act* on individuals, families and communities.

In general, focus group discussions revealed that awareness of terrorist-related legislation was consistently low among participants, across all target groups and in all locations, whether it concerned the *Anti-terrorism Act*, the *Criminal Code* or any other legal measures before or after 9/11. However, participants were generally aware of new post-9/11 travel-related security measures, especially at airports and borders, including the need for passports and permanent resident cards to travel to the US.

Overall, participants expressed general support for the provisions of the *Anti-terrorism Act*, with varying degrees of concern about its application. The *Act* was generally thought to create a sense of comfort, safety, and increased security. Participants generally assumed that Canada's anti-terrorism legislation was less severe than that of the United States and the United Kingdom.

More specifically,

The definition of terrorist activity was seen as a good idea, but was not well understood, with some concern expressed about possible misinterpretation and its effect on legitimate protests.

The intention of the listing of terrorist entities provision was viewed in a positive light, but concerns emerged over the public nature of the listing, possible ethnic minority stereotyping, and doubts about accurate and credible information.

While the financing of terrorism provision made sense, people worried about the potential for misinterpretation, and about certain legislative aspects, which placed responsibility on individuals instead of on the government.

Overall, there was general acceptance for the new police investigative and preventive powers, despite the possible risks of targeting of ethnic minorities and potential police abuse. Participants generally approved of the wiretapping section, but were confused about the offence relating to the refusal to give information.

The notion of safeguards garnered high approval and provided relief and greater confidence in the Canadian approach to combating terrorism.

The sunset clause was poorly understood as a safeguard, and instead seen as a government expectation that terrorism would not be a problem after 5 years, or as validation that police powers were dangerous.

The reporting obligation to Parliament was well liked and well understood as a safeguard, which exerted some monitoring of police powers. However, some preferred an independent watchdog.

Overall, the majority of focus group participants felt the risk of having the ATA and its new police powers were acceptable to protect the country and its population. Most felt safer or the same with the legislation, and most hoped their reservations would not be validated. People adopted a "*wait-and-see*" approach.

In terms of impact on individuals, families and communities, participants confused the legislative impact of the *Act* with the impact of 9/11 events. When asked about the legislative impact of the *Act*, most cited discriminatory occurrences at the workplace, in daily activities (e.g. riding public transit), when trying to rent or buy a home, at schools, places of worship, and in social relationships.

Having looked at respondent reactions to the *Anti-terrorism Act*, Créatec suggests that some factors may have influenced discussion outcomes such as timing of discussions (i.e., war with Iraq), media exposure, views on Canada's role in the world and participants' own perceptions of terrorism.

The present research study is part of the efforts undertaken by the Research and Statistics Division to help inform the Parliamentary review of the entire Anti-terrorism Act which is mandated to take place within three years of the Act receiving Royal Assent.

II. REPORT HIGHLIGHTS

1. BACKGROUND, PURPOSE AND METHODOLOGY

1.1 BACKGROUND

In December 2001, the Parliament of Canada proclaimed into law the *Anti-terrorism Act* (formerly Bill C-36). There has been a perception surrounding the enactment of the legislation, as expressed in media reports for example, that some minority groups may be unfairly targeted as a result of the provisions contained in the legislation. On this point, the Research and Statistics Division of the Department of Justice Canada sought to examine the views of minority groups on the *Anti-terrorism Act* (ATA). Building on the consultations undertaken with various groups prior to the enactment of the legislation, this study sampled the views of minority group members through focus group discussions across the country. This was not a consultation but rather an exercise that held structured conversations with participants. A Parliamentary review of the entire *Act* is mandated to take place within three years of the *Act* receiving Royal Assent. This research was conducted to inform the review.

1.2 PURPOSE

The purpose of this qualitative study was to understand the views of the Canadian public towards the ATA and some of its key components – with special attention to the attitudes and concerns of Canadian of different ethno-cultural backgrounds.

1.3 METHODOLOGICAL CONSIDERATIONS

While public opinion surveys can tap the Canadian public's views as a whole, qualitative research canvasses individual opinions by posing questions and listening, and having participants answering freely. The aim of this study is to discover attitudes, and to derive meaning and understanding from listening to and observing participants.

Focus group discussions provide an appropriate context for participants to express their views with the flexibility, tone and direction they desire. In addition, ethno-cultural minority views may be difficult to obtain through telephone interviewing, due to small sample sizes and to respondents' comfort levels in expressing views, especially on sensitive topics. With qualitative research such as focus group discussions it is possible for participants to review and then comment on a considerable amount of factual information (which they did throughout the 2-hour sessions).

Focus groups enabled open discussions among people sharing similar ethnic and cultural backgrounds. The process is not to build consensus, but to explore awareness, perceptions and views. The moderator's role here was to facilitate the discussion, to collect information and to observe, while encouraging participants to interact freely. It is not to inform, or suggest right or wrong answers.

As in all qualitative research, and in accordance with the Code of Ethics and Standards of the Professional Marketing Research Society (PMRS), findings from this study may or may not be regarded as statistically representative of the target population at large. However, this research may be further pursued by other instruments to contribute to our knowledge base; for example, if statistically valid results are desired, a separate follow-up quantitative survey is an option.

1.4 METHODOLOGY

The national study was comprised of 16 focus groups that were conducted in Halifax, Montreal, Toronto, Calgary, and Vancouver, with 138 participants from about 60 ethno-cultural minority backgrounds. Discussions were held March 10-21, 2003. Sessions, which had an average discussion time of approximately 2 hours, were conducted in English in 13 groups (3 each in Halifax, Toronto, Calgary and Vancouver plus one in Montreal) and in French in 3 Montreal groups.

Individuals were assigned to groups according to self-reported ethnic backgrounds (see Statistics Canada group classification in Appendix 3) to allow for 3 sub-groups with possible contrasting views on the *Anti-Terrorism Act*. The 3 groups were the following:

1) Group 1: comprised of individuals reporting Arab and West Asian ethnic backgrounds as well as those of North African and Pakistani ethnicity.

2) Group 2 was made up of individuals reporting Black, African, East Asian, South-East Asian and South Asian ethnic origins, excluding Group 1 members.

3) Group 3 consisted of individuals reporting Western, Northern, Central, Southern and Eastern European ethnic origins, including those reporting Aboriginal and Jewish backgrounds.

All cities hosted each of the groups, with an additional Group 3 for English-speaking participants in Montreal.

Participants were recruited by random sampling procedures based on telephone lists available for the cities chosen. Participants' ages ranged between 18-54 years old. Each group was of mixed gender, with a range of educational levels and occupations. Most of the visible and many non-visible minority participants were foreign-born, and some were Canadian-born.

Participants in all focus groups discussions were queried according to the approved discussion guide in English and French. All were given summarized printed handouts (which minimized the legal language) to refer to when discussing aspects of the *Anti-Terrorism Act*.

2. FINDINGS

2.1 AWARENESS OF TERRORISM AND ANTI-TERRORISM LEGISLATION

Despite some confusion in various locations about what terrorism really was, and what constituted a terrorist act, general awareness of terrorist incidents in Canada was consistently low in all locations and across all target groups. Overall, participants did not view the current situation in Canada, even in the tense pre-Iraq-war climate, as exceptional or particularly threatening vis-à-vis terrorism. Most felt that the risk of terrorism in Canada was very low given Canada's multi-cultural composition and its peaceful world reputation. Another important reason expressed was that Canada was not supporting the U.S. in the Iraq war.

In general, awareness of terrorist-related legislation was consistently low, across all target groups and in all locations, whether it concerned the *Anti-Terrorism Act*, the *Criminal Code* or any other legal measures before or after 9/11. Participants were generally aware of new post-9/11 travel-related security measures, especially at airports and borders, including the need for passports and permanent resident cards to travel to the U.S. Participants also perceived Canada's anti-terrorism legislation to be less severe than that in the U.S. and the U.K.

During the discussions, participants confused the legislative impact of the *Act* with the impact of 9/11 events, and the possible discrimination against ethnic and visible minorities, especially those of Middle-Eastern descent. When asked about the legislative impact of the *Act*, most cited discriminatory occurrences at the workplace, in daily activities (e.g. riding public transit), when trying to rent or buy a home, at schools, places of worship, and in social relationships. Some Group 1 and 2 participants had become more subject to suspicion and differential treatment since 9/11.

2.2 PROVISIONS OF THE *ACT*

Focus group participants expressed general support in principle for the ATA concept, with varying degrees of concern about its application. While there was high acceptance for the ideas of protection, defence, and making it harder for terrorists to operate in Canada, prevention was not seen as having a credible benefit for the country (except for the new police powers).

All of the provisions discussed met with approval and were accepted in principle or intent, despite some concerns.

- The definition of terrorist activity was seen as a good idea, but was not well understood, with some concern expressed about possible misinterpretation and its effect on legitimate protests.

- The intention of the listing of terrorist entities provision was viewed in a positive light, but strong concerns emerged over the public nature of the listing, possible ethnic minority stereotyping, doubts about accurate and credible information, the potential for misinterpretation, and loss of privacy. In addition, while the appeal process was highly valued, most felt that harm to the innocent could already be done.

- While the financing of terrorism provision made sense, people worried about potential harm to the innocent, the potential for misinterpretation, and about certain legislative aspects, which placed responsibility on individuals instead of on the government.

- Overall, there was general acceptance for the new police investigative and preventive powers, despite the possible risks of the targeting of ethnic minorities, possible misinterpretation, and potential police abuse. Participants supported the wiretapping section, but were confused about the offence relating to the refusal to give information.

- The notion of safeguards garnered high approval and provided relief and greater confidence in the Canadian approach in fighting terrorism.

- The sunset clause was poorly understood as a safeguard, and instead seen as a government expectation that terrorism would not be a problem after 5 years, or as validation that police powers were dangerous.

The reporting obligation to Parliament was well liked and well understood as a safeguard, which exerted some control over the application of police powers. However, some doubted government transparency and preferred an independent watchdog.

Interest in information about the ATA was generally high across all groups and locations. Participants wanted information to be aimed at "*everyone*," not just at certain ethnic communities. They also wanted information to be available in "*many*" languages, not just English and French.

Despite all concerns, a majority of participants felt the risk of having a "*realistic*" and "*balanced*" ATA and its new police powers was acceptable "*to better protect the country and the people*." Most felt safer or no different with the legislation. Overall, people adopted a "*wait-and-see*" approach.

2.3 DETAILED FINDINGS

2.3.1 Definition of Terrorist Activity

While participants had no idea that a definition of a terrorist activity even existed, most approved of this provision in principle, and some thought it was filling a gap, even though many were unsure of the details and had some concerns.

Those who approved saw the definition as a "*good framework*," which was "*headed in the right direction.*" Some participants felt reassured they would not be seen as terrorists just because they were Muslims. On the other hand, some found it too broad and vague, and thought it could harm the innocent in 3 ways: (1) its ambiguity and numerous conditions were thought to leave it too open to interpretation, legal loopholes and potential abuse, and made it difficult to prove in terms of intention or motivation; (2) the line between legitimate protest and terrorism was blurry, and (3) participants in several Participants in Group 1 worried about ethnic minorities being targeted, given what had happened in the U.S. since 9/11.

Confusion emerged around 3 key issues. First, participants were not sure if all 3 criteria had to be met. Second, due to uncertainty about the need to meet all 3 criteria, participants struggled with the definition, and wondered, for example, if rioting sports fans, the uni-bomber, the anti-abortion doctor (motivated by his own goals), Ernst Zundel, hate crimes, acts of vandalism, Rwandan genocide, and even the invasion of Iraq would be considered terrorist acts. Terrorism seemed to be generally defined as "*violent acts against innocent people.*" Third, some had difficulty understanding how a Canadian law could apply to threats outside Canada, in other countries.

Despite concerns, the definition of a terrorist activity was considered a useful tool to identify terrorists, but not necessarily to prevent terrorism. Participants were interested in obtaining more information about it.

2.3.2 Listing of Terrorist Entities

Previous knowledge and awareness of this provision was low. Participants approved of the intent or purpose of the listing, which was seen to offer protection but thought that it was unlikely to prevent terrorism. Support was based on the public's right to know, so they could avoid unknowingly making financial donations and possibly opening themselves up to legal action. Most found the listing provision useful, even with its limitations.

Overall, many concerns and questions were raised over the potential for harm due to both the "*public nature*" of the list, and to what were referred to as "*grey areas*". These included: (1) fear about the potential to stereotype ethnic minorities, reminiscent of the McCarthy era, where the list might contain common Middle Eastern names or names similar to those of known terrorists (this had already happened to one woman, whose passport had been held for a week after 9/11); (2) concern about credible sources of information, especially if it came from the U.S.; and (3) accuracy of information and safeguards.

Participants also worried about specific legislative aspects such as: (1) *"reasonable grounds"*, which could be subject to misinterpretation and/or abuse; (2) the public international sharing of the list, which was considered "*a gross invasion of privacy*" could have a major impact on your life even if you won an appeal; (3) the Federal Cabinet as decision-maker, which had the potential to be politically motivated or influenced – some preferred an "*independent watchdog*"; and (4) the loss of civil liberties -- mainly privacy. While participants saw the ability to appeal as a very positive aspect, its effectiveness was limited by the public nature of the listing. "*You are stigmatized for life, even if you win the appeal.*"

The perceived link between listing and fundraising made sense to most participants. Some thought it would hinder terrorists' ability to raise funds, while others thought it would have no measurable effect. Interest in information was high.

2.3.3 Financing of Terrorism

Previous knowledge or awareness of the financing provision was very low. Several participants had heard of it, but only in vague terms (some were reminded of the "*drug laws*" and *Criminal Code*).

Participants approved of the financing provision mainly because it made sense -- the general public "*needs to know*" who they could be donating money to and who to avoid.

Special concerns emerged in all locations about (1) innocent people or organizations being either wrongly listed or targeted by false or erroneous information (worrisome to visible minority participants, especially those from the Middle East); and (2) the usual fairness in the Canadian justice system was diminished, because the burden of proof was on the accused, and the innocent needed to prove themselves innocent, which disturbed many.

Discussion focused on 5 legislative aspects: (1) the concept of where the money went sparked worried comments, such as "H*ow could the public possibly know if money went to terrorism, especially if it was sent overseas?*" (2) the reporting obligation was thought to wrongly place the onus on ordinary citizens (instead of on the legal system), and participants were not only uneasy about the danger of false reporting (if someone disliked you), but also thought people would be "*too scared*" to come forward; (3) the ability to appeal was seen in quite a positive light, except that the burden of proof was on the innocent-accused, and not-knowing about involvement could be a convenient loophole for real terrorists; (4) the 10-year maximum penalty was too light for some (mainly in Group 3 participants), who preferred life imprisonment as a maximum; and (5) property seizure was seen in different contexts – as a deterrent, as an infringement on the innocent, and as being similar to the "*drug law.*"

The perceived impact of the financing provision on legitimate charities ranged widely, from high to moderate to no effect at all. Participants were also split about its usefulness. Some saw cutting off the money and giving more clout to authorities as useful, but others doubted the credibility of the listing evidence and thought terrorists could circumvent any law. Interest in information was high, especially between Group 1 and 2 participants, the most likely to be impacted (because they send money "*back home*"). However, Montrealers of Group 1 strongly

opposed publicizing information about financing, fearing the detrimental impact on what they saw as legitimate "*innocent people fighting for their rights.*"

2.3.4 New Investigative and Preventive Powers

Overall, only a few participants had heard of these new police powers. Most accepted the provisions in principle. Participants in all groups who supported the new powers seemed to understand the compromises needed to deal with terrorism, and felt that "*those with nothing to hide*" need not worry.

Concerns voiced in most groups focused on 4 main application issues: (1) participants worried that anyone could be arrested anytime, especially innocent people; (2) targeting of ethnic minorities was a strong expectation in all locations; (3) the potential for misinterpretation and misuse was attributed to the fairly broad powers and vague language and terms, which needed greater clarity; and (4) the potential abuse by police frightened a fair number of respondents, who had not only heard about police abuses in the U.S., but who themselves had personal experience of this, or knew someone or about someone who had a similar experience.

Discussions centred on 2 main investigative powers rather than on preventive powers: (1) the wiretap provision and (2) the offence of refusing to give information. The wiretap provision garnered general approval (even by participants of Group 1, who were considered and considered themselves to be the most likely wiretap targets), although some disliked the "*big brother*" aspects, specifically the "*invasion of privacy*" and the fact that a wiretap was permissible even if other methods would work. In addition, some thought the 1-year non-notification period was too long, and some could not understand why police would "*just listen*" to terrorists, instead of arresting them.

Refusing to give information as an offence generated confusion and apprehension, mainly over the potential for abuse, based on guilt by association ("*How do they know if you know something or not?*") Questions were raised about the media's right to protect a source, the possible punishment for refusing to give information, and government protection for someone who was threatened not to divulge information.

The new police powers were seen as useful only as a preventive tool but with a potential for misuse. Some thought they were the most important element of the ATA, with a far-reaching impact on citizens in general and on minority groups in particular. Interest in information was high, especially among Group 1 participants, who felt they needed to adapt and protect themselves. Some said they would stop discussing certain topics publicly or on the phone.

2.3.5 Mechanisms to Prevent Abuse of Police Powers

The sunset clause was virtually unheard of by participants. Only those who understood it as a safeguard gave approval, because it was a "*step in the right direction*" to ensure that the new police powers would not be unfairly applied and that the rights of individuals would be upheld.

However, most participants did not understand the clause or its intent, and had 4 basic misinterpretations: (1) as a government expectation that terrorism would not be a problem after 5 years, or that anti-terrorism laws would not be necessary; (2) as reinforcement for the perception that the new police powers were dangerous; (3) as an opportunity to review, update and replace the entire law, if necessary, at the 5-year mark; and (4) as a worry that amendments to the law could not be made during this period.

Previous knowledge of the reporting obligation to Parliament was non-existent. Participants voiced strong approval for the much needed "*accountability*", and "*checks and balances*" it would provide, and because it gave some control over the application of the special police powers. The only criticism was that the annual report to Parliament was not enough to curb potential abuse. Discussions centered around 4 issues: (1) while most felt the annual reporting frequency was sufficient, some preferred more frequent or ad hoc reporting; (2) some participants hoped reporting information would be accurate, comprehensive and unbiased; (3) some wondered if the report would be made public in its entirety or if it would contain only what the government wanted to reveal; and (4) some stated that an "*independent watchdog*" would provide greater accountability.

Overall, participants were hopeful that the two mechanisms would prevent abuse. While these protections were seen to lessen some negativity about the police, their existence essentially provided relief and greater confidence in the Canadian approach.

2.4 Additional Comments

Having looked at participants reaction to the *Anti-Terrorism Act*, Créatec suggests that some factors may have influenced discussion outcomes such as the timing of discussions (i.e. war with Iraq), media consumption, views on Canada's role in the world and participants own perceptions of terrorism.

III. INTRODUCTION

1. ABOUT THIS REPORT

In this report, in accordance with standard qualitative reporting practice, input from all 16 groups are presented together, with any differences among participants across the various demographic classifications—whether by target group (ethnic background), language or location -- pointed out where relevant.

The target groups in this study were defined by self-reported ethnic origins according to the definitions and classifications used by Statistics Canada for the 2001 Population Census. (See Appendix 2).

Overall, the report presents the major trends as well as the range of views, including the dominant ones and those from other perspectives. However, in accordance with standard qualitative practice, no percentages are given with respect to findings, and people are not counted per se, although sometimes during discussions, various votes were taken – mainly in order to clarify positions.

The report begins with an executive summary, which briefly outlines the main findings. It continues with report highlights, which first outlines the background, purpose and methodology of this study, and then presents respondent awareness of and reactions to various aspects of the anti-terrorism legislation, and ends with some concluding comments.

Throughout the report, respondents' language and terminology are used wherever possible, to let them speak in their own words. For easier reading, quotation marks have been used sparingly, and verbatim responses have been italicized and slightly edited (for clarification).

In keeping with usual qualitative reporting practice, while there are no systematic references to each of the 16 sessions, examples may be drawn from specific locales or target groups.

2. BACKGROUND, PURPOSE AND OBJECTIVES

2.1 BACKGROUND

In December 2001, Parliament of Canada proclaimed into law the *Anti-terrorism Act* (formerly Bill C-36). There has been a perception surrounding the enactment of the legislation, as expressed in media reports for example, that some minority groups may be unfairly targeted as a result of the provisions contained in the legislation. On this point, the Research and Statistics Division of the Department of Justice Canada sought to examine the views of minority groups on the *Anti-terrorism Act* (ATA). Building on the consultations undertaken with various groups prior to the enactment of the legislation, this study randomly sampled the views of minority group members from across the country. This was not a consultation but rather a focus-group exercise that held structured conversations with participants.

A Parliamentary review of the entire *Act* is mandated to take place within three years of the *Act* receiving Royal Assent. This research was conducted to inform the review.

2.2 PURPOSE AND OBJECTIVES

The purpose of this qualitative research was to discover the views of the Canadian public towards the ATA and some of its key components – with special attention to the attitudes and concerns of ethno-cultural minorities in Canada. The purpose was not just to find out what people thought, but also to gain insight as to why such viewpoints were held.

More specifically, the following 4 issues were to be explored:

1) Awareness of Canadian anti-terrorism legislation and Government of Canada actions since 9/11;

2) Awareness of and attitudes towards the ATA in general, and some particular provisions;

3) Perceived impact of the ATA on people's personal lives;

4) Interest in further information about the ATA in general and about certain aspects.

2.3 METHODOLOGICAL RATIONALE

While the views of the Canadian public as a whole can be tapped by public opinion surveys, minority views are more difficult to capture not only because of smaller sample sizes, but also because of participants' comfort level in expressing views on such a sensitive topic (the problem of terrorism and related legislation) over the telephone. In addition, it was considered important to be able to differentiate findings by specific target group.

It was therefore felt that a qualitative approach – which focuses on providing understanding and insights as to why certain views are held – would be the most effective methodology. It was also felt that a focus group setting, particularly one where people shared similar ethnic backgrounds, would provide the optimum setting for open discussions.

The process was not one of consensus building or consultation – but more of an exploration into people's awareness and perceptions with regard to the Canadian ATA. The role of the moderator was precisely to guide the discussion, to collect information and to observe, but was not to inform, or suggest right or wrong answers. In fact, participants were told that there were no wrong answers, since it was their views and opinions that were sought.

In the focus group sessions, participants seemed to share their thoughts and feelings honestly and openly, and freely interacted with each other, agreeing and disagreeing as the case may be. Sometimes the discussions became quite passionate, and at other times, humour was used. Overall, participants in all 5 locations seemed to appreciate the opportunity to give their views on such an important topic. For example, several participants of Iranian descent (from Vancouver) came to the session even though it took place during the week they celebrated the Iranian New Year.

3. METHODOLOGY

3.1 QUALITATIVE APPROACH

Given the sensitive nature of the research objectives, the conventional focus group discussion method was used – with most sessions comprised of 8-10 participants, and several with 5-7.

We believe that when conducting exploratory research, the qualitative approach works best when used as a learning tool to help understand the range and depth of reaction to the issues at a given moment in time. Such an in-depth review of complex factors, opinions and rationales, including their emotional and psychological basis, is not possible with a quantitative survey.

However, while the findings do provide unique insights into the perceptions and attitudes surrounding the various issues, and snapshot-in-time impressions, these are **not** quantifiable, and may or may not be representative of the population at large. It is left to the reader's judgement to evaluate the findings generated from such research. Qualitative research may be further pursued

by other instruments to add to the findings. If statistically valid results are desired, a separate follow-up quantitative study is certainly an option.

3.2 Target Groups

Groups were split according to self-reported ethnic backgrounds (see Statistics Canada group classification in Appendix 3) to allow for 3 subgroups with possible contrasting views on the *Anti-terrorism Act*. The placement of participants in groups was made based on ethnicity, not racial or religious backgrounds. Only the principal ethnic origin reported was used as criteria for placement. The 3 groups were the following:

1) Group 1: made up of individuals reporting Arab and West Asian ethnic backgrounds as well as those of North African and Pakistani ethnicity. Group 1 members were mostly visible minorities.

2) Group 2: made up of individuals reporting Black, African, East Asian, South-East Asian and South Asian ethnic origins, excluding Group 1 members.

3) Group 3: made up of individuals of Western, Northern, Central, Southern and Eastern European ethnic origins, including those reporting Aboriginal and Jewish backgrounds.

3.3 Number and Type of Sessions

From March 10-21, 2003, a national study was undertaken, comprising 16 focus groups in 5 locations across the country (Halifax, Montreal, Toronto, Calgary and Vancouver) with a total of 138 participants belonging to about 60 different self-reported ethnic origins (for a table showing group composition by ethnic backgrounds, see Appendix 2).

In each of the 5 locations, Groups 1, 2 and 3 were organized, plus an additional Group 3 of English-speakers in Montreal. Most discussions were conducted in English (3 each in Halifax, Toronto, Calgary and Vancouver plus 1 in Montreal), and 3 in Montreal were in French. The allocation of participants is shown in the following table.

Number of Participants by Location and Target Group

Ethnic Composition	Halifax	Montreal French	Montreal English	Toronto	Calgary	Vancouver	Totals
Group 1	7	8	---	10	5	7	**37**
Group 2	7	8	---	10	9	9	**53**
Group 3	9	10	10	10	9	10	**48**
Total	**23**	**26**	**10**	**30**	**23**	**26**	**138**

As is standard qualitative practice, all sessions were held in facilities equipped with an observation room, and each 2-hour session was audio taped (with respondents' consent).

The following table shows the self-reported ethnic backgrounds (in alphabetical order) from which participants in this study were drawn.

ETHNIC ORIGINS OF PARTICIPANTS BY TARGET GROUP

Group 1		Group 2		Group 3	
1)	Afghani	18)	Afro-American	38)	Metis
2)	North African	19)	Algerian	39)	Austrian
3)	Algerian	20)	Brazilian	40)	Bosnian
4)	Armenian	21)	Chilean	41)	Bulgarian
5)	Egyptian	22)	Chinese	42)	Croatian
6)	Iranian	23)	Salvadorian	43)	Danish
7)	Iraqi	24)	Gabon's	44)	Estonian
8)	Jordanian	25)	Grenadine	45)	Finnish
9)	Lebanese	26)	Guatemalan	46)	German
10)	Libyan	27)	Haitian	47)	Greek
11)	Moroccan	28)	Chinese	48)	Hungarian
12)	Pakistani	29)	South Asian	49)	Irish
13)	Persian	30)	Ivory Coastian	50)	Italian
14)	Sudanese	31)	Japanese	51)	Jewish
15)	Syrian	32)	Malaysian	52)	Dutch
16)	Tunisian	33)	Paraguayan	53)	Polish
17)	Turkish	34)	Filipino	54)	Romanian
		35)	Somalian	55)	Russian
		36)	Tanzanian	56)	Scandinavian
		37)	Venezuelan	57)	Slovenian
				58)	South African
				59)	Spanish
				60)	Vietnamese

3.4 PARTICIPANT SELECTION CRITERIA

All participants were recruited randomly by Créatec according to the following criteria:

- Age range -- 18-54
- Each group was of mixed gender, with a range of educational levels and occupations. No one was either a legal expert or a criminologist. However, 2 young female Group 2 participants did have some legal knowledge – one was a legal secretary in Vancouver and the other was a law student in Halifax who had written a paper on Bill C-36.

- Birthplace criteria -- at least half of each of Group 1 and 2 participants were foreign-born and half were Canadian-born – although in some locations the majority were foreign-born. Group 3 members were mainly foreign-born.

- No one had been in a focus group over the past 2 years, and no one had ever participated in a qualitative session on a topic related to governmental issues.

- Some standard employment categories were excluded – no one or members of their family worked for any public relations or advertising agency, any level of government or political organization, any market research or marketing firm, radio, TV or other media. However, one Halifax man was a retired accountant who used to work for the Department of National Defence (DND) and a few women (from Calgary and Vancouver) worked or had worked with new immigrants.

3.5 Participant Incentive

As is standard qualitative research practice, each respondent received an incentive payment of $50 at the end of their session for their participation.

3.6 Discussion Guide

Participants in all 16 groups were queried along the lines of the client-approved discussion guide in English and French (see Appendix 1).

After the introduction and initial discussion about awareness of terrorist acts and anti-terrorism legislation, the following procedure was adopted in all 5 locations:

- The moderator introduced a particular legislative aspect, distributed a printed client-approved handout to each participant summarizing that particular legislative aspect, and then queried the group accordingly. This procedure was repeated for 5 handouts: (1) a brief summary of the ATA, (2) the definition of a terrorist activity, (3) the listing of terrorist entities, (4) the financing of terrorism, and (5) the new investigative and preventive powers.

- Note that the 5 handouts (as appended to and explained in the discussion guide) minimized legal language to allow for maximum respondent understanding, but still reflected the essence and ideas in the ATA.

After discussing the last handout on investigative and preventive powers, the moderator explained and participants were queried about 2 mechanisms associated with these powers – the sunset clause and the annual reporting obligation to Parliament by the Attorney General and Solicitor General. Sessions ended with discussions about the impact the legislation might have had on participants personally, or on their communities.

Note that any mention of real or perceived backlash or the legislation's impact on the Charter rights of Canadians was to be probed whenever it initially emerged during the discussions.

3.7 MODERATING AND ANALYSIS

This project used a team approach with 4 moderators conducting groups in the 5 different locales, due to the large number of groups to be conducted within a short time frame. The fact that all 4 moderators in this study reported similar findings and observations across all 3-target groups and across all 5 locations increases the validity of the findings.

- **Mr. Grégoire Gollin** acted as the project manager, responsible for client relations, the design of the work methodology, observation of some groups, supervision of the final report as well as overall coordination.
- **Mr. Sylvain Laroche** assisted with project management and client relations, moderated the 3 francophone groups in Montreal and prepared the detailed analysis for these groups.
- **Ms. Natalie Gold** conducted the 6 Anglophone groups in Toronto and Vancouver, prepared the detailed analysis incorporating results from all 16 groups, presented a verbal debrief to the client (on March 27, 2003) and wrote the final report.
- **Ms. Sharon Archibald** moderated the 3 Anglophone groups in Halifax and the English-speaking Montreal group, and prepared the detailed analysis for these groups.
- **Mr. Richard Alaszkiewicz** led the 3 Anglophone groups in Calgary, and prepared the detailed analysis for these groups.

IV. DETAILED FINDINGS

4.1 PERSPECTIVES ON TERRORISM

Participants in various locations were confused about what terrorism really was, and what constituted a terrorist act. This emerged early in the groups, while talking about terrorist acts in Canada before 9/11, and also while discussing several of the ATA provisions.

4.1.1 AWARENESS OF PRE 9/11 TERRORIST INCIDENTS IN CANADA

General awareness of terrorist incidents in Canada was consistently low in all 5 locations and across all target groups.

Overall, participants indicated that nothing had happened that was comparable to 9/11. However, several participants in all 5 locations vaguely remembered the 1970 FLQ crisis, as well as the Air India bombing, although the latter was of greater concern in the visible minority and non-visible minority groups. Some in the Calgary visible minority group were aware of a recent attempt to smuggle a bomb across the border.

Other incidents mentioned early on in the discussions foreshadow some of the confusion about the definition of terrorism. These include the Oka crisis (mentioned in Montreal), the Montreal massacre of women at the Polytechnic (cited in both Montreal and Halifax), and the shooting of an abortion doctor (referred to in Calgary and in Vancouver.)

4.1.2 LIKELIHOOD OF TERRORIST ATTACK IN CANADA

As part of the introductory discussion, participants were asked about the likelihood of Canada suffering a terrorist attack. (Note that the 13 discussion groups, after Halifax, were given a time parameter of within the next 2 years.)

Overall, it would appear that participants in this study did not perceive the current situation – even in the tense pre-Iraq-war climate – as exceptional or particularly threatening.

Consistently, most participants in all locations felt the perceived risk of terrorism on Canadian soil was very low because Canada is a "*safe and peaceful country*", and not akin to others (in the mid-east, Europe, and Britain) where terrorism has long been active

- *We [Canada] are not on the terrorist's blacklist.* (Halifax Group 1]

Canada was also seen as: "*a neutral country*," and "*not a threat to anyone*," certainly not when compared to the US, as "*very multi-cultural*," and "*accepting of all people*," as a "*peace-keeper*," as a "*follower*" politically, "*not a leader*," and as a country who was currently not supporting the US in the Iraq war.

People in different locations mentioned that the low risk of a war or terrorism was in fact one of the reasons why they came to Canada in the first place. However, some concern did exist in various groups that Canada has been and still could be a "*safe haven for terrorists*." In fact, several people in Vancouver thought the chances were high that "*sleepers were already living here*." Some in Montreal thought not only were terrorists already here, but they were "*prepared to attack*". They felt our proximity to the US puts us in harm's way, although we might not be a direct target, and that perhaps a small incident might occur, but nothing on a large scale.

- A typical apprehensive comment – "*You never know!*"

4.2 LEGISLATIVE AWARENESS

In general, participant awareness of terrorist-related legislation was consistently low, across all 3-target groups and in all 5 locations, whether it concerned the *Anti-terrorism Act*, the *Criminal Code* or any other legal measures.

4.2.1 THE ANTI-TERRORISM ACT

Overall, awareness of the passing of the new anti-terrorist legislation was consistently very low across all 3-target groups and in all 5 locations. Some had heard of it in the news, but had only vague impressions. Several participants in various locations suggested that the ATA passed quickly after 9/11 due to pressure from the US.

- *After September 11, we are living by the US rules.* (Halifax Group 1)

Others remarked that the ATA had passed without any public consultation or publicity. A Toronto woman had read that CSIS could now accuse someone without revealing the evidence against them (even to the accused person's lawyer). Some in Montreal thought it was a new law, while some others disagreed – in either case, no one saw it as a major change.

Several individuals had somewhat greater in-depth knowledge about the ATA. A Group1 participant from Calgary had tried to read it, but at more than 100 pages, it was too long for him. A Group 2 participant from Vancouver, a legal secretary, had heard her employers discussing it at work. And a student from Halifax Group 2 had recently written a paper about it at law school, and cited:

- *Changes to the court system, expansion of police powers, increased surveillance, loss of rights on an individual's right to a defence, infringement on privacy and free speech, increased airport and border security, racial profiling, immigration (security, detention and identification), listing of terrorists, and financing of terrorism (money laundering, donations to charitable organizations).*

4.2.2 PRIOR CRIMINAL CODE TERRORISM PROVISIONS

Overall, awareness of how and whether terrorist acts were dealt with before the passing of Bill C-36 was consistently almost non-existent – most people simply did not know, even vaguely.

Exceptions occurred in the Montreal francophone groups and in Calgary. In Montreal, a few in each group thought the *Anti-terrorism Act* toughened already existing legislation in the *Criminal Code*, but could not say how. Also in Montreal, one respondent thought the *War Measures Act* was the legislation dealing with terrorism before the ATA. A Calgary respondent vaguely

recalled that someone had been deported to Syria, under some sort of "*suspicion law,*" but could not say more about this.

4.2.3 Post 9/11 Public Security Measures

Participants were not specifically aware of legislated changes after 9/11, but a significant majority did seem to know about certain public security measures adopted by the government of Canada to combat terrorism.

Most people expressly mentioned government actions related to travel, customs and immigration – namely that personal identification was now needed to travel to the US and elsewhere. According to participants, it now "*takes longer to get a passport*", "*permanent resident cards*" with photos are now needed, and passports are no longer stamped like they used to be.

In addition, it was now generally "*tougher*" to get into the US. In Montreal, this was mainly attributed to an American decision that Canada simply had to accept. However, some Montreal participants appreciated that the Canadian government had protested American insistence on the systematic filing of names of certain Canadian residents born abroad.

Participants also mentioned, "*increased security checks*" at airports and borders, and more "*careful screening*" of new immigrants. "*Upscale screening technology*" was now being used, including "*more secure cockpit doors*" on planes. Airline security charges (referred to as a "*tax grab*") were now in place to pay for this.

Some thought that increased federal funds were allocated to "*help fund CSIS* "and security at airports. Some others referred vaguely to legislation, but did not connect it to the ATA. For example there was mention of legislation related to "*investment*" or "*financing of terrorism,*" the "*official banning*" of some groups from Canada, and "*shipping restrictions.*"

One Montreal respondent had heard during the G8 Summit in Quebec City that people "*could now be arrested without a warrant*" and feared "*police abuses*" and a diminution of civil rights, such as the "*right to protest.*"

4.3 REACTIONS TO THE ATA

As mentioned earlier in the report, there was a set procedure employed to expose participants to aspects of the ATA.

- Each respondent was issued a simplified printed handout summarizing the relevant ATA provision or aspect (which had a minimum of legal language). Participants were given a few minutes to read it over before the group discussion took place.

- One-page printed handouts were issued for: (1) the brief ATA summary, (2) the definition of a terrorist activity, (3) the listing of terrorist entities, and (4) the financing of terrorism. And a two-page handout was used for (5) the new police investigative and preventive powers. However the moderator read a written text to describe both the sunset clause and reporting obligation.

This section presents the main findings for each of these aspects.

Note that participants and groups focused mainly on self-selected aspects of the provisions under discussion. While there may be important points in a particular aspect that were not discussed or mentioned, this in no way means that people did not care or have views about them – but could relate more to comfort levels reading and absorbing somewhat complex materials within limited time constraints and a group context.

4.3.1 THE ATA OVERVIEW

Each respondent was issued a simplified one-page printed handout about with a brief overview of the ATA, and was given a few minutes to read it over before the group discussion took place. Note that participants and groups focused mainly on self-selected aspects of this provision.

Overall Reaction

Reaction was generally consistent across all target groups and locations. The majority of participants across all locations and target groups approved of this Act in principle – some participants did express their strong reservations. Only a small minority questioned the need for anti-terrorism legislation in Canada.

On the positive side, the Act was generally thought to create a sense of comfort, safety, and increased security, as evidenced by the following comments.

- *They should enforce it – I came here to make a good life for myself – my country was a war one – I came here for a peaceful life.* (Toronto Group 1)

- *We can't blame the government for being more careful with people coming from countries where there are terrorists – the potential is there, the risk is there.* (Halifax Group 2)

- *It's okay if they have them, good for all society, hopefully catch those people.* (Vancouver Group 1)

Some participants in Calgary and Halifax appreciated the UN requirement, although one Calgary woman saw it as a loss of sovereignty.

- *Makes me feel safer - gives us a reason why they are doing it. The UN wants to create peace in the world.* (Calgary Group 2)

On the negative side, the summary was seen as too vague or broad across locations and groups, but most participants worried primarily about the possible detrimental effects on civil liberties, including (1) the potential for abuse, (2) the targeting of ethnic minorities, and (3) general ineffectiveness to prevent terrorism.

1) Potential for abuse -- People in all locations expressed concern about the potential for abuse by both police and government authorities, especially with regard to "*racial profiling* "and the "*invasion of personal privacy.*"

   - *Sharing my flight information to the US trespasses on the Charter of Rights . . . Am I being protected or singled out? It's racial profiling.* (Toronto Group 2)

2) Targeting of ethnic minorities -- Fear of being "*labelled a terrorist*", and of backlash if you belonged to a certain ethnic minority or religion was most pronounced in Group 1 participants.

   - *J'aimerais ça savoir si ça ne va pas nuire aux libertés individuelles, si on ne va pas nous soupçonner à cause de notre religion. (I'd like to know if it can hurt civil liberties, if they are not going to suspect us because of our religion.)* (Montreal Group 1)

   - *Some Group 1 participants in Halifax felt it would help create shame and embarrassment with regard to their ethnic background.*

3) General ineffectiveness against terrorism -- The unlikelihood that the Act would stop or prevent terrorism was seen by some to create a false sense of security. In fact, the idea of actually being able to prevent terrorism met strong scepticism in almost all groups.

Note that the above 3 concerns were frequently repeated when examining the various provisions of the ATA.

Other negative concerns focused on American appeasement as the Act's raison d'etre, and the justice system's slow-spinning wheels. Some participants in several locations felt the Act was enacted mainly to pacify or "*appease the US*", because it was passed so quickly, and that it was basically unnecessary in Canada, and simply PR.

- *We don't need this legislation but they want to show they are doing something.* (Halifax Group 1)

In contrast, one Montreal francophone mentioned if US appeasement had been a factor, then the Canadian government had made a realistic decision, since our economy is dependent on the US and would suffer if we failed to take action.

Some participants in Toronto and Vancouver felt that the ATA would change nothing about a perceived weakness in Canada's legal system, which "*took too long*", and enabled terrorists to take advantage of all the delays and "*legal loopholes*" available (they were particularly annoyed about what they saw as the shamefully drawn-out Air India case).

In many groups, questions were also raised about specific measures and just how these would be implemented, assuming (and some did not) that Canada had the funds and manpower to do so. For example, several Vancouver participants wondered how convicted terrorists would be handled, and whether they would be deported or dealt with in Canada; some participants in Halifax wondered how collected information would be used, and who would have access to it; and some in various locations (Montreal, Vancouver and Halifax) wondered how big a role the "*CIA*" or "*FBI*" agents would play in collecting or providing information to Canadian authorities.

In sum, despite the various concerns and questions raised by respondents, most still approved of the ATA and its existence.

Upholding of Individual Rights and Freedoms

After exposure only to the brief ATA summary and what others said about it in their groups, participants were specifically asked if they thought the Act upheld individual rights and freedoms.

Most emphasized they did not know for sure, because the summary lacked details. However, the general tendency was to hope that individual rights would be protected, and to see safety and security as more important. This was more pronounced in the non-visible minority groups, with some agreement by various visible minority individuals.

- *They have to do whatever it takes to stop this.* (Toronto Group 1)
- *C'est plus important de protéger les Canadiens même s'il y a des personnes qui subissent certaines conséquences. (It is more important to protect Canadians even if some persons have to be subjected to some consequences.)* (Montreal Group 2)
- *It does uphold . . . if I don't feel safe in my homeland, I don't have any rights and freedoms.* (Toronto Group 2)

Some also believed that safety and protection were important, but to a limited degree, and worried that individual rights might be taken away, an attitude which seemed to emanate more from visible minority participants (in Groups 1 and 2), many of whom had, or knew someone who had, experienced some type of discrimination or mistreatment, even before 9/11.

- *There are lots of innocent people who would be targeted.* (Calgary Group 1)
- *I don't like people to think that people from Middle East are dangerous.* (Vancouver Group 1)

The only specific right mentioned in a few groups during this part of the discussion was the "*right to privacy.*" Some participants were "*okay*" with trading some loss of privacy for greater safety and security, while others were not.

- *It could affect one's own privacy in terms of email.* (Vancouver Group 2- a debate ensued in this group over who would and would not mind if their email was read – the group was split.)
- *No big concern, we have lost freedom before* (Halifax Group 2, referring to loss of privacy re computers).

There were some participants in various groups who thought that a few individual rights were not upheld by the ATA, especially for immigrants. Perceived infringements were on "*the right to know what you are accused of*", and on the "*right to free speech.*"

- *It does for some Canadians, does not for immigrants.* (Vancouver Group 1)
- *An Algerian pizza delivery guy is being held as a security threat and he doesn't know what he is being held for.* (Toronto Group 2)
- *People may get scared to express themselves.* (Toronto Group 2)

In sum, most participants said they were unsure whether individual rights were upheld in the ATA, but some thought they either might be taken away or were not upheld and hoped that they would be protected.

Comparative Toughness

Participants were asked if they thought the Canadian ATA was tougher, less severe or about the same as anti-terrorism laws in both the US and UK. Overall, almost all participants, consistently across target groups and locations, assumed the US had the toughest law, followed by the UK, and that Canada's law was the least severe of the three.

Most felt they knew much more about the US than the UK. Their impressions of the American anti-terrorism law stemmed in part from their general negative mindset about the US, from news coverage of discriminatory incidents against ethnic minorities, from the newly created

Department of Home Security, and on the perception of Canada as a more sensitive and humane country.

- *We're a different culture, different people. This is the Canadian spirit.* (Calgary Group 3)

There was also some feeling in both Montreal and Halifax that Canada would probably be less severe in the law's application or enforcement, either because of our peaceful culture or our lack of financial means. In Montreal especially, the alleged presence of several terrorist cells in Canada tended to support the idea that Canada is less strict.

With regard to the UK, most participants felt they knew very little, if anything, about it, although some were mindful of efforts to stem IRA terrorist activities, and a few had heard about the increased surveillance using street cameras.

4.3.2 Definition of Terrorist Activity

Each respondent was issued a simplified one-page printed handout summarizing the definition of a terrorist activity, and was given a few minutes to read it over before the group discussion took place. Note that participants and groups focused mainly on self-selected aspects of this provision.

Overall Reaction

Previous knowledge or awareness of the existence of a definition was virtually non-existent across all groups. Overall, after reading the handout, participants in all groups seemed to approve in principle of this provision's existence. Only a handful questioned the need for such a definition, even though many were unsure of the details and had some serious concerns.

Of the 5 printed summaries of ATA aspects, this was probably the most confusing and difficult to understand in most groups. Some participants seemed a bit overwhelmed by the complexity of even the summarized definition.

For those who approved outright, the definition was thought to be clear and if not, it was a good framework, and was at least heading in the right direction, filling a gap. It not only discerned between simple criminals and terrorists, but some participants actually liked the lack of specificity.

- *If you leave it a little broad you can add and work around it.* (Calgary group 2)

For others, the provision was too broad, too vague and subject to interpretation, and could therefore harm innocent people in 3 main ways -- relating to intention, legitimate protest and the targeting of ethnic minorities.

1) Its ambiguity of criteria and conditions were thought to leave it too open to interpretation, legal loopholes and potential abuse, and made it difficult to prove in terms of intention or motivation.

   - *The definition is subjective and depends on the country – for example, the IRA were considered freedom fighters by the US, but considered terrorists in the UK.* (Toronto Group 2)

   - *Not concerned with the definition, but concerned by its interpretation – could be twisted.* (Toronto Group 2)

2) In most locations, the line between legitimate protest and terrorism was thought to be blurry.

   - *You can have a protest if you get a permit, but if it is peaceful and you don't have a permit you are a terrorist* (Calgary Group 1 member, referring to a forbidden protest against a recent WTO meeting in Alberta).

   - *Everybody who stands against a society is a potential terrorist.* (Calgary Group 3)

   - *La ligne qui sépare la protestation n'est pas claire. (The line between terrorism and legal protest is not clear.)* (Montreal Group 1)

3) Several participants in Group 1 worried especially about ethnic minorities being targeted, given what had already happened in the US.

Confusion emerged around 3 key issues of the definition, regarding the 3 criteria, the definition of a terrorist, and enforcement abroad.

1) Clearly, people were confused as to whether all 3 criteria had to be met, even though this was not specifically commented on everywhere. Some who did notice were not sure about its effectiveness – for example, one Toronto Group 3 respondent worried that.

   - *They have to meet all the criteria is a problem – they don't meet one and they get off.*

2) However, as a result of misunderstanding the application of all 3 criteria, there were participants in all locations who struggled with the definition of a terrorist, and questioned whether their understanding of the criteria fit certain situations. For example, they wondered if rioting sports fans, the uni-bomber, the anti-abortion doctor (motivated by his own goals), Ernst Zundel, hate crimes, acts of vandalism, Rwandan genocide, and even the invasion of Iraq would be considered terrorism or terrorist acts.

   - To many, terrorism seemed to be loosely defined as "*violent acts against innocent people.*" For example, according to one Anglophone participant from Montreal, "*When I think of terrorism, I think of any psycho – regardless of political intent.*"

3) It was hard for some in various locations to understand how a Canadian law could apply to threats outside Canada, in other countries.

- *Comment une loi canadienne peut s'appliquer à une menace à l'étranger? (How can a Canadian law apply to a threat abroad?)*

Participants in the Montreal Group 1 spontaneously pointed out that financing (a relevant issue for them) was not specified in the definition, but this was not mentioned in other groups.

- *Rien ne parle de financement dans la définition. (Nothing is said about financing in the definition.)*

In sum, even though many participants did not understand the definition of a terrorist activity provision, and had reservations and some confusion over various aspects, participants still voiced general approval of the definition.

Perceived Usefulness

Overall, despite the concerns raised, the definition of a terrorist activity provision was generally considered a useful tool to identify terrorists, but not necessarily to prevent terrorism. "*This is the first thing you have to do . . . to start with a definition.*" (Calgary Group 2)

Some francophone Arab/West Indian participants felt it could help relieve suspicion on the Arab/Muslim community. According to others, it could "*do no harm.*" However, some in various locations (especially in the Halifax Group 1) did not think it was useful because (1) it was "too vague and subject to misinterpretation and abuse" – an emotionally charged topic, to be sure; (2) it could be applied incorrectly; and (3) it could affect innocent people.

Some expressed uncertainty about its usefulness, with a typical comment being "*I think yes, but I'm not sure.*" (Calgary Group 3)

When queried about the need for similar definitions, most participants agreed that such definitions were necessary and had to be on the books, no matter how ambiguous, because (1) it reassured some in Group 1 that they would not be seen as terrorists simply because they were Muslims, and (2) it was "*better than nothing.*" Participants in the Calgary non-visible minority group agreed, with one stipulation – Definitions needed to be "*constantly updated,*" to keep pace with the times (this idea was applauded when mentioned).

On the other hand, some participants in various locations did not see the need because (1) "*a definition cannot prevent anything,*" (Halifax Group 2); and (2) terrorists or smart lawyers could "*always find a loophole*" (a repeated statement throughout the discussions.)

Desire for Information

Most participants thought there should be more information available on the definition of a terrorist activity because it was important, as long as there was "*not too much.*" The information should be in different languages because "*not everyone,*" especially in immigrant communities, "*can speak French or English.*"

In addition, participants wanted the information to be aimed at everyone. Montreal Arab/West Indian participants emphasized that it should not be targeted specifically to their community because it would increase the perceived link between them and terrorism.

- "*Oui, mais attention de ne pas nous cibler. (Yes, but be careful not to target us.)*"

While some in Halifax were less convinced of its importance, a few in Toronto thought such information should have been available before the Act became law.

4.3.3 LISTING OF TERRORIST ENTITIES

Each respondent was issued a simplified one-page printed handout summarizing the listing of terrorist entities, and was given a few minutes to read it over before the group discussion took place. Note that participants and groups focused mainly on self-selected aspects.

Overall Reaction

Even though some participants in various locations had vague recollections about a list or listing, no one seemed informed about the listing of terrorist entities provision. This was one of the most sensitive topics discussed, particularly among some Arab/West Indian groups, who spoke quite passionately about the subject.

Participants gave general approval in principle to the intent of such a listing.

- *I think the spirit of it is good.* (Calgary Group 3)
- *If they're doing terrorist things in other parts of the world and come here, they should be barred.* (Toronto Group 2)

Most felt it was important for the government to inform the public about who was considered a terrorist, to prevent people from unknowingly making donations and possibly opening themselves up to legal action. However, several participants in various locations found it hard to understand why known terrorists would be listed instead of simply being arrested or even "*killed*" outright (like they would be in their countries of origin). Instead of listing terrorist entities, a suggestion was made that the government publish a listing of legitimate or valid groups or organizations.

- *It's more important to have a list of accredited entities.* (Halifax Group 1)

However, overall, there were many concerns and questions raised over the enormous potential for harm due to both the public nature of the list, and to what were referred to as "*grey areas*," including: (1) the potential for stereotyping ethnic minorities, (2) credible sources of information, (3) accuracy of information and safeguards against inaccuracy, (4) specific aspects of the provision (such as reasonable grounds, the public international sharing of the list, the Federal Cabinet as decision-maker, and the ability to appeal), (5) the loss of civil liberties (mainly privacy) and (6) questions about operational aspects.

1) ***Ethnic minority stereotyping*** -- some participants in all locations were especially fearful about the general public's stereotyping of ethnic minorities. People in all 3 Montreal francophone groups worried if everyone belonging to an ethnic minority would now be suspected.

   - *People will be brainwashed – they'll see an Arab person and assume they're a terrorist.* (Toronto Group 1)

   - Some participants were quite concerned that the list would include common mid-eastern names, or names similar to those of known terrorists. In fact, a Calgary woman with a common Arabic name (but who was not of Middle-Eastern origin) had her passport held back for a week. One Montreal Group 1 participant had the same name as a terrorist listed by the FBI, and had many problems as a result.

   - Some associated a list with the "*McCarthy era*," where there was "*guilt by association*" and the need to tread very carefully.

   - In several locations, participants worried that innocent people could be hurt just because they sympathized with the average Palestinian.

2) ***Credible sources of information*** – this was a concern to participants in various groups, who wondered mainly about sources and their credibility, and asked.

   - Who provides the information, and whose sources are used. For example, some participants in Montreal felt that proof could be fabricated if the government or police wanted to list a particular group or individual. According to a Toronto visible minority respondent, a mistranslation of recent Hezbollah comments got it put on a terrorist list, but according to this individual, this group is not a terrorist group. A Vancouver Group 1 woman worried that a disgruntled or angry neighbour could give your name.

   - How credible are these sources, how effective is the intelligence. For example, for some Group 1 participants in Montreal, Calgary and Vancouver, information was not credible or acceptable if it came from a US decision. A Calgary respondent worried that opposing special interest groups could identify other groups to the government as terrorists regardless of their activities.

3) ***Accuracy of information*** – this concern was raised primarily in Halifax, where participants wondered how Canadians could be assured the list is accurate, and what safeguards are in

place to ensure listed entities are in fact terrorist groups, or have links to terrorist organizations?

4) ***Specific aspects of the provision*** – 4 aspects were the focus of concerns across target groups and locations.

4.1) Reasonable grounds were considered too open to interpretation by participants across locations, who seemed to interpret it as meaning not-solid grounds. For example, some participants said that back in their countries of birth, reasonable grounds meant that everyone could be targeted, and wondered if that applied here in Canada too. *"You could get in trouble for just talking about things".* (Toronto Group 2)

- People fighting for their legitimate rights in another country might be put on the list and prevented from coming here.
- There are groups that could be listed as freedom fighters by some, and terrorists by others.
- *C'est pas parce que tu donnes de l'argent à des terroristes que tu es un terroriste. (Just because you give money to terrorists doesn't mean you are a terrorist.)* (Montreal Group 1)

4.2) The public nature of the list made any mistakes life-destroying for the innocent, according to participants in all locations, and was considered a gross invasion of privacy by some. Arab/West Asian participants especially feared publication because it would most likely contain only names of Arab or Muslim people and organisations, reinforcing public pressure on them as a community.

- *The list should not be public – easy accessibility to the list will bring attacks directed at individuals.* (Montreal Anglophone Group 3)
- *If the media has posted your name, you are guilty until proven innocent* (a sentiment uttered by participants in several groups).

4.3) The Federal Cabinet as decision-maker – this was not clear to everyone or discussed by all groups.

- Some felt that Cabinet decisions could be politically motivated, biased and/or influenced by financial contributions to their party. Some in various locations preferred a more impartial and independent watchdog, such as a judge, or someone like the Privacy Commissioner. In addition, the government, being run by humans, can "*make mistakes.*"

4.4) The ability to appeal -- was absolutely seen as a positive aspect by participants in all locations.

- *We would never have this ability to appeal where we came from.* (Calgary Group 2)

- However, there were concerns expressed across locations – mainly due to the public nature of the listing, where the appeal could not remedy harm already done – a typical comment *"You are stigmatized for life even if you win the appeal."*

- In addition, some in the Arab/West Asian Montreal group saw the appeal process as a way to discharge responsibility onto citizens – for example, a group was listed, you gave money to them, it is up to you to prove you did not know they were a listed terrorist group.

- One individual from Calgary thought the government should inform people if they are on the list so they could prove their innocence.

5) ***Loss of civil liberties*** -- some participants in various groups, especially Calgary, also expressed concern about the invasion of privacy.

   - *If we assume that the number of terrorist organizations will not grow, why would we put a tool in the government's hands that would allow them to check out basically any group they want - invasion of privacy of corporations, companies, or persons. Someone makes a lobby, no proof, the government can check out anyone.* (Calgary Group 2)

6) ***Questions about operational aspects*** -- were raised in various groups and locales. Participants wanted to know what happens once a terrorist was identified.

   - *What do they do to them?*
   - *Are they dealt with or are they sent out of the country?*
   - *What happens to the people who are detained?*
   - *Does the government go in and shut down the operation -- if they don't, what's the point?*

In sum, while there were many concerns and questions raised about the listing of terrorist entities, on the whole, participants voiced support for the intent of such a listing.

Perceived Effect on Fundraising

While the summarized listing of terrorist entities provision did not mention limiting terrorist fundraising as a benefit, a question about fundraising did emerge while discussing the listing provision. Overall, no clear trend emerged from the discussions about the perceived effect of

listing entities on terrorist fundraising. However, there were 2 main trains of thought: it would either hamper fundraising, or it would have no measurable impact on fundraising.

On the one hand, some participants thought it would hamper fund-raising because

- *People giving money to terrorist groups might stop doing it.* (Montreal Anglophone Group 3)
- *They [terrorists] will try and get money from major sources but not from the public, someone cannot come to my house -- once you're labelled who will give?* (Calgary Group 1)
- *Something is better than nothing. I would investigate the group before I donated. [Fundraising] may be curtailed but not stopped.* (Calgary Group 2)

On the other hand, some participants thought it would have no measurable impact in part due to certain perceptions about terrorists:

- *If they were listed, they wouldn't come and ask for money. They would change their name.* (Vancouver Group 3)
- *It's easy to register a new charity.* (Toronto)
- *Terrorists will always find a way.* (Halifax)

In sum, even though participants had their doubts about effectiveness, most still wanted the possible protection that listing offered because "*Something is better than nothing.*"

Perceived Usefulness

Most participants generally thought the listing provision was useful or at least semi-useful in hindering the flow of money to terrorists -- even though it certainly had limitations. The seeming link between the listing provision and fundraising tended to increase and expand perceived usefulness and somewhat improve acceptance of the public nature of the list.

- *It might be worth the hassle – I'd be reassured that they're doing something.* (Toronto Group 1)
- *Useful to an extent. It might hurt a lot of ethnic people's feelings but it is good.* (Calgary Group 2)

However, some participants, including a majority in Montreal, did not see the listing provision as useful because (1) terrorists were too clever, (2) unknown and unlisted terrorists were the most dangerous, and (3) mistrust of the listing mechanism, due to the credibility and accuracy of information, and the potential to fabricate proof

- *"Terrorists are clever, they will hide if listed"* (and therefore be harder to arrest)
- *The most dangerous terrorists are the least visible* (*Les terroristes les plus dangereux sont les plus invisibles*)
- *Ce n'est pas parce qu'ils sont listés que des groupes sont nécessairement terroristes. (Just because they are listed doesn't necessarily mean they are terrorists.)*

Generally, participants agreed that this listing provision had little or no ability to prevent terrorist acts.

- One person from Calgary said the most useful tool to prevent terrorism was Canada's neutrality and peacekeeping role in the world. Several indicated that the most useful way to prevent terrorist acts in Canada was to keep our distance from the US.

Desire for Information

Interest in more information about the listing provision was high, especially among those with mid-eastern backgrounds. Despite its flaws, the listing provision was considered very important. It was a good idea to tell Canadians who "*not to give money to.*"

However, participants added 2 main caveats: (1) *The procedure must be absolutely meticulous"* (Toronto Group 1), and (2) American recommendations should be excluded from the list – at least according to some visible minority participants.

4.3.4 FINANCING OF TERRORISM

Each respondent was issued a simplified one-page printed handout summarizing the financing of terrorism provision, and was given a few minutes to read it over before the group discussion took place. Note that participants and groups focused mainly on self-selected aspects.

Overall Reaction

Several participants in various locations had heard about the financing issue, but only in vague terms – some had heard about specific groups that were funded, such as Hamas, Hezbollah and Jihad. Overall, participants gave approval in principle to the financing provision. No one seemed to question the need for this provision, despite some strong reservations.

People approved mainly because it made sense -- the general public needs to know whom they could be donating money to. Stronger approval tended to come from the non-visible minority groups.

- *The people who finance terrorism are the biggest criminals.* (Toronto Group 3)

The importance of and concerns about the financing provision tended to be higher among Arab/West Asian groups.

Overall, there were 2 specific concerns mentioned in all locations: (1) the potential for the innocent to be seriously affected, and (2) the burden of proof was placed on the accused rather than on the accuser:

1) Innocent people or organizations either wrongly listed or targeted by false or erroneous sources of information was quite worrisome to visible minority participants, especially those from the mid-east, who strongly feared that Muslim communities would be labelled as supporting terrorists when they were simply supporting who they considered innocent people. For example, Group 1 participants in Montreal and elsewhere were not ready to give up their right to "sympathize" with Palestinian groups.

   - *J'ai donné de l'argent au ... même si je savais qu'ils sont considérés comme terroristes. Le terrorisme n'est pas leur but principal, ils ne font que défendre leur territoire. (I gave money to ..., even though I knew they are considered terrorists. Terrorism is not their primary goal; they are just defending their territory.)* (Montreal Group 1)

   - *It has the potential of turning into a witch-hunt – anybody can report anybody and it will spiral out-of-control.* (Calgary Group 1)

2) The idea of being considered guilty until proven innocent, with the burden of proof on the accused, also worried many in this study. One of the aspects of Canadian law, which participants seemed to value highly, was that people were considered innocent until proven guilty. Many in this study thought that the financing provision directly contradicted this value, since participants would be harmed (property loss or imprisonment) if they could not prove their innocence.

Discussion focused on 5 aspects of this provision, including (in the order they were presented on the handout) -- (1) the concept of knowing, (2) the reporting obligation, (3) the ability to appeal and not knowing, (4) the penalty, and (5) property seizure.

1) The concept of knowing – worrisome questions arose in several locations about this aspect -- how could the public possibly know if money went to terrorism, especially if sent overseas.

   - *How do you know if they're using it [the money] for terrorism?* (Toronto Group 1)

   - *If money is sent overseas, how can you tell if money is used to buy arms?* (Vancouver Group 2)

2) The reporting requirement -- wrongly placed the onus on ordinary citizens rather than on the legal system, according to participants in Montreal (mainly Group 2) and elsewhere.

- *If you own property, the onus is on you to know that a terrorist is not occupying your property . . . that worries me.* (Vancouver Group 3)

- *We all drive a car with Iraqi oil – is this terrorist property?* (Halifax Group 2)

Some participants felt people would be too scared to come forward. Others thought there was a danger of false reporting, and wondered about penalties for this.

- *If you don't like somebody, then report them as a terrorist. This happens everywhere. Just report them but don't give your name.* (Vancouver Group 1)

- *If you report something false on purpose what will happen to the person causing trouble? Does the law cover this?* (Calgary Group 1)

3) The ability to appeal if someone or a group "*doesn't know*," generated discussion in all groups. Overall, the appeal itself was seen in quite a positive light, with exceptions related to (a) the plight of the innocent-accused, (b) the likelihood of a real terrorist lying about not knowing, and (c) several additional questions.

   a) The burden of proof is on the accused.

      - *The burden of proof should be on the government to prove guilt, not on the individual to prove innocence.* (Montreal Anglophone Group 3)

      - *Appealing is difficult for a simple citizen against the government's big machine.* (Montreal and Halifax)

   b) Not knowing could be a convenient escape or loophole.

      - *Anybody could say that they didn't know.* (Calgary Group 1)

      - *Like the people that have the grow-ops [marijuana growing operations]. The owner always says they didn't know. They now say that owners are responsible to know what their tenants are doing.* (Vancouver Group 3)

   c) Some participants had a few additional questions about the appeal process.

      - *How long is the appeal?*

      - *What about the statute of limitations, how long can you go back?*

4) The maximum 10-year penalty was too brief for some, mainly in the non-visible minority groups. Some wanted life imprisonment as the maximum.

   - *10 years is not enough, there is no difference between someone with a gun and the person funding him.* (Calgary Group 3)

- *The fundraiser should get harsher punishment than the poor shmo who carries it out, who is often young, ignorant and brainwashed.* (Toronto Group 3)

5) Property seizure was raised by several individuals, but seen in different contexts – as a deterrent, as an infringement on the innocent, and as similar to the "*anti-gang*" or "*drug law.*"

- *Others might see property being seized, and it would be a deterrent.* (Calgary Group 3)
- *I'm confused: you should not be able to seize property and money before guilt is proven.* (Toronto Group 2)
- *Puts it in the same category as marijuana, where assets are seized.* (Vancouver Group 2)

Additional questions were raised by participants in various locations about the provision's application outside of Canada, and corporate responsibility.

- *Can a Canadian court apply this to a group working in another country, like an American company working in South America? Curious if it covers things that happen outside of Canada?* (Vancouver Group 2)
- *I've heard of money coming from McDonalds helping the IRA. There you have an entire corporation, where does the blame fall?* (Vancouver Group 3)

After reading and discussing it, some participants in various groups remarked that the financing provision was not a new concept, and related it to the "*drug law*" and the "*Criminal Code.*"

- *Change all the words from terrorist to drug dealers. There is nothing new about this.* (Vancouver Group 1)
- *It's all criminal stuff; the only new thing about it is the word "terrorism".* (Montreal Anglophone Group 2)

In sum, while there were many concerns expressed about the financing provision, participants still voiced support for it in principle.

Perceived Effect on Charitable Organizations

While some participants in various groups said they had wondered if certain charitable organizations could be linked to terrorist groups, others had no such thoughts. Overall, only a few individuals indicated they had problems in the past donating to charities, and so they stopped doing it.

However, there was a split regarding opinions about the impact of the financing provision on future donations to legitimate charities. Some thought the provision would have an impact, ranging from moderate to strong, while others thought the provision would have little to no effect.

Perceived Usefulness

Overall, there was mixed reaction about the perceived usefulness of the financing provision both in stopping the flow of money and in preventing terrorism.

- *It's great we have it in place, but it's not going to do anything.* (Toronto Group 2)

On the one hand, participants in various groups considered it useful to cut off the money supply and to give more clout to those in power.

- *Absolutely this is useful - you have to stop them. Can't just sit there.* (Calgary Group 1)
- *In combination with the other stuff, yes.* (Toronto Group 1)
- *Useful to hit them in the pocketbook.* (Vancouver Group 1)
- *It might give people trying to stop terrorism more leeway to do it.* (Calgary Group 2)

On the other hand, there was a strong perception in several locations (notably Montreal and Halifax) that this provision was not useful, based mainly on (1) a perception that terrorists were too determined and clever, and (2) on the doubtful credibility of the listing evidence.

1) A general perception of terrorists as determined and clever tended to negate preventive efforts.

- *It won't work, there are a lot of risk takers -- someone who is willing to be a suicide bomber, they won't care.* (Toronto Group 1)
- *Terrorists will always find a way.* (Halifax)
- *Don't think they [terrorists] would be seeking money from donations.* (This sparked some discussion in Vancouver Group 3.)
  - *They might have their own company that is legitimate.*
  - *Could be a front for illegal activities.*
  - *There are companies that train terrorists and the government can't do anything to them.*

2) The doubtful credibility of listing evidence.

- *It is not possible to know which groups are real.* (Calgary Group 2)

Desire for Information

Overall, most participants thought the financing provision was important information, necessary to make the public aware.

- *It definitely would be helpful to have information.* (Vancouver Group 3)

The need to know seemed highest among most Arab/West Asian and other visible minority groups; those most likely to be impacted in terms of sending money back home – except for Montreal. Montreal Group 1 participants tended to strongly oppose publicizing information about the financing provision because they felt it would hurt what they saw as legitimate innocent people fighting for their rights.

Some participants wanted the information to be available in many different languages.

4.3.5 New Investigative and Preventive Powers

Note that each respondent was given a 2-page handout summarizing the new investigative and preventive powers (compared to 1-page handouts for the others), but the same amount of time to read and digest the information before the group discussion took place. Note that participants and groups focused mainly on self-selected aspects. Respondent reaction tended to focus more on the investigative powers (the first page of the handout) than on the preventive powers.

Overall Reaction

Only a few in various groups had heard of these new police powers. While some considered these new powers unnecessary, overall, they were generally considered acceptable despite the perceived and worrisome risks of abuse.

- *I grew up in a policing society (Hungary), and I like it that we don't have that here.* (Calgary Group 3)

In various locations, this was viewed as the most important element of the *Anti-terrorism Act* – the one with the most far-reaching impact on citizens in general, and on minority groups and individuals in particular. In fact, participants in almost all groups had talked about police matters spontaneously from the beginning of the groups and throughout.

- *This is what we have to do [now], but what will happen 10 years from now. I fear we are slipping into a police state.* (Halifax Group1)

Some questioned the need for these exceptional powers because they did not perceive the current situation as being exceptional, since the perceived likelihood of terrorist acts was quite low in all groups – "*We are in Canada, not the US.*"

Support -- participants in all groups who supported these new powers seemed to understand the compromises necessary to deal with terrorism, and felt that those with nothing to hide need not worry.

- *You have to be supportive, sometimes you have to compromise, there has to be discretionary freedom . . . they are not working against us, they are asking for our support -- it's not like Iraq where you say something and you get blown up . . . They are trying to get the job done, they are trying to protect us, there is a price for freedom.* (Calgary Group 1)

- *Think it's good. Police should have something to help them. Good starting point. Agree to principles.* (Vancouver Group 3)

- *Would you rather have weak preventive powers that allow terrorists to slip away, or a stronger law with a few more victims? You have to break some eggs to make an omelette.* (Toronto Group 2)

General concerns -- concerns voiced in most groups focused on 4 perceived applications related to abuse – (1) arrest of the innocent, (2) targeting of ethnic minorities, (3) potential misinterpretation and misuse, and (4) potential abuse by police.

1) Arrest of the innocent – participants worried that anyone could be arrested anytime, especially innocent people.

   - *What about the person who is not guilty – they've been arrested and their life is a mess.* (Toronto Group 1)

2) Targeting of ethnic minorities – participants in all locations thought the likelihood was high that ethnic minorities and immigrants would be targeted. Some were particularly worried about what had already happened in the US, with minorities being detained for up to a year before being declared innocent.

   - *It doesn't seem too fair, is based on suspicions.* (Toronto Group 2)

   - *We [immigrants] are more likely to be attacked, than a Canadian . . . like old dictator Russia, if a judge is convinced that you are a terrorist, than the government can act on political motivation.* (Calgary Group 1)

   However, there were some participants in various locations who were not worried about such targeting.

- *I don't think police will target those with a minority ethnic background - I feel comfortable - they have the training. Canada is very open to different ethnic people.* (Calgary Group 2)

3) Potential misinterpretation and misuse – some thought the new provisions gave police fairly broad powers, and some felt the vague language and terms needed to be clearer, because they were subject to interpretation and potential misuse. One respondent from Montreal worried about misuse by the federal government.

   - *Government conspiracy – taking advantage of an already fearful nation.* (Montreal Anglophone Group 3)

4) Potential police abuse of power – this frightened a fair number of participants in various locations, who had already either personally experienced some sort of police abuse, or knew someone or about someone who had. Many were also knowledgeable about police abuses in the US.

   - *I had a bad experience with city police last week.* (Toronto Group 1)
   - *You and your friends can be arrested: we will have to be very very careful with this legislation.* (Calgary Group 1)
   - *It assumes we have very intelligent police officers and government officials – I just hope they're intelligent and well trained.* (Toronto Group 3)
   - *Power you give them, might be more power for them to abuse, like the case of Leonard Peltier. I say the authorities can abuse their power.* (Vancouver Group 2)
   - *Only people with money have the means to sue to police for wrongful use.* (Vancouver Group 2)

Specific aspects of the new police powers

Discussions centred around 4 aspects of the new police powers – (1) the wiretapping provision (2) refusing to give information as an offence, (3) arrest without warrant, and (4) reasonable grounds.

1) The wiretapping provision – This was discussed in all groups, received the most attention, and met with general approval, even by Arab/West Asian groups, who were considered by many to be likely wiretap targets. In the Montreal Group 1, participants said they would simply adapt, but there would be no more joking over the phone.

   - *I think its okay to wiretap people because it benefits the public.* (Toronto Group 1)

Some Group 1 participants had questions about wire-tapping, mainly related to wiretap eligibility.

- *How do they know in the first place they need to tap you?* (Montreal)
- *How do you understand what constitutes what an offence is?* (Calgary)

Concerns were also expressed about various other "big brother" or "Stalinist" aspects of the wiretap provision, namely that it was permissible even if other surveillance methods would work, and that it was a definite invasion of privacy.

The 1-year notification aspect elicited comments in various groups. Some felt a year was too long, while a few others realized it took time to build a case.

- *If they know someone's a terrorist, why would you take a year to do something?* (Toronto Group 3)

Some in Montreal Group 1 could not understand why police would just listen to terrorists, but not arrest them (as was the practice *"back home"* in their countries of origin).

Some in Calgary Group 1 thought the individual being taped should never be informed – *"Why alert them?"*

2) The offence to refuse to give information was discussed in various locations, and generated some confusion and apprehension related mainly to its application, and potential for abuse, based mainly on guilt by association

- *I could be involved with a terrorist act even though I am totally innocent, if I am associated with a terrorist who has been arrested.* (Calgary Group 2)
- *How do they know if you know something or not?* (Montreal Anglophone Group 3)

A Vancouver woman worried that a casual comment from a mere acquaintance could potentially involve her, an innocent person.

- *Someone says something to me, now I am involved.* (Vancouver Group 1)

Some questions emerged in various locations related to the media's refusal to give information, punishment for refusal and police protection if someone was threatened not to divulge information, for example, typical questions were:

- *It's a question of the press and anonymous sources -- must they reveal a source?*
- *So what is the punishment for refusing to give information?*
- *What if you've been threatened to not give information – does the government protect you?*

3) The lack of warrant needed to make a preventive arrest sparked a bit of discussion and mixed reaction in the Calgary non-visible minority group, and elsewhere. One respondent saw it as a good thing, if the police had enough evidence, while another felt this was open to abuse because the police could go in under false pretences.

- *They can go in "if it's believed" - if who believes? Who makes the decision?* (Calgary Group 3)
- *The police arrest first, and worry [about a warrant] later.* (Halifax Group 2)

4) Reasonable grounds needed for a preventive arrest was commented on only by a few in the English Montreal group in relation to the new powers, who felt this term was too vague, and could involve anybody. (This term was discussed more thoroughly in connection with the listing of terrorist entities provision).

In sum, while the new police powers generated considerable discussion (sometimes heated) about the potential risks of abuse, they were generally considered important preventive tools and were accepted by the majority of participants.

Perceived Usefulness

Overall, the new police powers were seen by most as an efficient preventive tool, with a strong risk for misuse.

- *C'est aussi un risque de ne rien faire face au terrorisme. (It is also a risk to do nothing against terrorism.)* (Montreal Group 1)
- *It's better than nothing.* (Toronto Group 3)
- *It may prevent, but not safeguard. If they don't get the right person, it's not a safeguard.* (Calgary Group 3)

Dissenting views on usefulness tended to centre on the investigative powers, especially wiretapping (it's limitations vs. widely-held perceptions about the cleverness of terrorists), and the idea that all of these elements could be dealt with in the Anti-terrorism Act.

- *How would this stop terrorism – a terrorist is not going to discuss this on the phone.* (Toronto Group 1)
- *If I'm a terrorist I'm not using my house phone, I'm going outside.* (Calgary Group 1)
- *This stuff should be covered in the Criminal Code. If someone is planning to bomb something, there should be something to cover that.* (Vancouver Group 3)

Desire for Information

Participants in all groups definitely wanted to be informed about these new police powers. Arab/West Asian groups were especially keen, because they believed they needed the information in order to adapt to it and protect themselves. Because they feared being targeted and potential abuses, they felt they needed to be careful to avoid "*grey areas*."

4.3.6 Mechanisms Associated with Preventive and Investigative Powers

Sunset Clause

The sunset clause was verbally described to participants as follows, before they were queried: "The new preventive and investigative hearing powers will disappear after 5 years (called a 'sunset' clause) unless both the House of Commons and the Senate pass a resolution to extend them for another 5 years."

The sunset clause, virtually unheard of before, was probably one of the most misunderstood concepts in this study. When seen as a safeguard and protective mechanism, it was approved. But when it was not understood as a safeguard and protection, people put their own spin on its meaning.

Several participants in various groups voiced strong approval for the sunset clause, which was viewed as a step in the right direction to ensure the new powers would not be unfairly applied and the rights of individuals would be upheld.

- *Very good idea - we should not commit ourselves to a longer period of time - see if it works.* (Calgary Group 2)

However, most participants in all 5 locations did not understand this clause or the intent, and interpreted it in one of 4 ways – (1) as an expectation that terrorism would not be a problem after 5 years, (2) as reinforcement of the perception that the new powers were dangerous, (3) as an opportunity to review, replace or update the law, and (4) as a worry that adjustments could not be made during the 5-year period.

1) Expectation that terrorism would not be a problem, or that anti-terrorism laws would not be necessary after 5 years – this occurred in various locations, across target groups – which totally bypassed the safeguard intent.

   - *Can you defeat terrorism in 5 years?* (Toronto Group 1)
   - *Why stop after 5 years, terrorism will still be there.* (Montreal Groups 2 and 3)
   - *I agree with reviewing, but I'm not so thrilled that it might die out, if nothing happens -- people might say, ahh, we don't need it.* (Toronto Group 3)

2) Reinforced perception that police powers were dangerous – this interpretation occurred mainly but not exclusively in the Montreal Arab/West Asian group, and strongly contradicted the safeguard intent.

- *Ça me rend encore plus méfiant car ça veut dire qu'ils vont pouvoir abuser pendant 5 ans. (It makes me even more mistrustful because it means they have the power to abuse for 5 years.)*
- *The government doesn't know how far abuses will go and decided on a self-destruction clause.*

3) Opportunity to review, update and replace the law, if necessary – some participants in various locations viewed the 5-year period this way, and missed the safeguard and protective intent.

- *Think this is good that this will disappear after 5 years, so they can make new laws.* (Vancouver Group 1)
- *They might come up with better ideas in 5 years.* (Toronto Group 3)
- *Most laws should be like that because they become outdated very quickly.* (Calgary Group 1)

4) Worry that adjustments not permitted during the 5-year period – this was mentioned only in Calgary and missed the intent.

- *If there is something that is not working in the 5 years, is there a clause that they could do something if it's not working. Can they stop it?* (Calgary Group 2)

In sum, because most participants did not interpret or understand the sunset clause as a safeguard or protection, they did not approve of it. However, those who correctly interpreted the clause voiced strong approval.

Reporting Obligation

Similar to the sunset clause, the reporting obligation was verbally described to participants as follows, before they were queried: "The Attorney General and Solicitor General of Canada are required to report annually to Parliament on the use of these new powers."

Overall, participants not only approved of but also consistently saw the annual reporting requirement in a positive light, albeit to varying degrees, because it provided much-needed "*accountability*" and "*checks and balances.*"

Comments were mostly favourable, and some took a wait-and-see approach.

- *If done every year, it will be sufficient to monitor how the Act is being used.* (Vancouver Group 2)

In several Group 1 discussions, it seemed especially important, very positive and reassuring because it gave some control over the application of the special police powers. However, it would be important to specify in the report how the ATA is applied to citizens from certain communities. Some hoped that people from those communities would be on the reporting committee.

Some participants in various groups pointed to 4 main issues relevant to the reporting obligation, including -- (1) reporting frequency, (2) unbiased and accurate information, (3) government transparency, and (4) the preference for an independent watchdog.

1) Reporting frequency – most participants felt that the annual or yearly reporting was sufficient, however some preferred a more frequent or ad hoc schedule.

   - *If it's reported a year after the fact, it may be too late, why not report on each incident as it happens?* (Toronto Group 2)

2) Unbiased and accurate information – several participants in various locations expressed the hope (thus implying doubt) that the information in the report would be accurate, comprehensive and unbiased.

   - *Depends on how accurate the reporting is and where the information is coming from.* (Vancouver Group 3)

   - *Reporting has to be neutral and not biased, has to be comprehensive, otherwise it will fail.* (Calgary Group 2)

3) Government transparency – some participants, mainly but not exclusively from Halifax, wondered if the report would be made public in its entirety, or only what the government wanted to reveal. Some also voiced uncertainty about transparency, since disclosure of sensitive information could damage the government's public image.

   - *You need a strong opposition in government.* (Toronto Group 2)

4) Independent watchdog – several participants in various locations felt that an "*independent watchdog*" would provide greater accountability and make sure everyone was playing by the rules.

The only real criticism of the reporting obligation was that it was insufficient to curb potential abuse.

- *Think it is good to monitor the progress of issues. Agree with reporting, but don't think it is enough.* (Vancouver Group 1)

In sum, the reporting obligation was generally understood and seen to be a positive safeguard against potential abuses of the new police powers.

Effectiveness of Mechanisms to Prevent Abuse

As mentioned elsewhere in the report, participants in most groups expressed concerns that the new police powers had the potential for abuse against visible minorities, especially those from Arab/West Asian communities. Overall, likelihood of abuse by police ranged from moderate to high, and seemed highest among Montreal Group 1 participants.

> ➢ *C'est difficile à contrôler, car ils se couvrent entre policiers confrères. (It is hard to control because they cover each other in the police)*

Participants' views about police abuse seemed to be strongly influenced by (1) their experiences with police in their countries of origin, (2) by media coverage of what was happening in the US, and (3) by prior personal or second-hand experience of the police in Canada. Not surprisingly, views about protective legal mechanisms or safeguards were similarly influenced by these 3 factors:

1) Countries of origin – many participants talked about how they (or their families) came from countries where there were few if any legal safeguards or protections -- that such protections could even exist gave many a strong feeling of relief and of confidence in the Canadian way.

> ➢ *There is a lot of accountability here -- you have the freedom to pick up the phone and complain or investigate . . . in other countries [like Egypt] you can't do this.* (Calgary Group 1)

2) Media-reported US incidents – many participants, especially those in Groups 1 and 2, were increasingly disturbed by what they saw happening in the US, where there seemed to be no legal safeguards in the hyped-up terror-alert atmosphere – this only served to enhance the value of the 2 Canadian anti-terror safety mechanisms.

3) Experience with Canadian police – throughout the discussions, participants talked about first or second-hand (or even third-hand) exposure to negative police incidents, which made many either sceptical or mistrustful of the police. However, not everyone felt this way. For example, some Calgary participants agreed with the individual who said:

> ➢ *Maybe I'm too optimistic, but I think there's a chain of accountability within the police department that I tend to trust the system as a whole. Perhaps an action might be started in the wrong direction, but at some point in the system, that will be corrected.* (Calgary Group 2)

Overall, participants were generally either open-minded or hopeful that the reporting mechanism and sunset clause would prevent abuse. Most were willing to give them a chance, and took a "*wait-and-see*" approach. The sunset clause and reporting obligation helped to mitigate the negative influence surrounding police, but did not erase it entirely. For example, in Montreal, while these control mechanisms were considered "*better than nothing,*" they were not good enough for Group 1 participants, who saw themselves as likely targets.

However, several individuals worried that the law and the courts were extremely slow moving, as evidenced by the Air India trials, and so doubted the impact of legal mechanisms as a remedy. There was also some scepticism about government transparency.

- *If they misuse it, they'll find a way to hide it.* (Toronto Group 1)

According to one individual, a stronger protection would be Canada's free press and democratic tradition.

- *Canadians and the news media will uncover and fight for the wrongly accused.* (Calgary Group 2)

Attitudes Towards Risk of Abuse

Despite general concerns about the risk of police abuse and potential targeting of ethnic minorities, a majority of participants felt the risk of having the ATA was acceptable – to give better protection to the country and the people -- with one main caveat which was repeated in various discussions.

- *As long as I'm treated with respect and dignity, then I accept it, and cooperate.* (Toronto Group 1)

Even Montreal francophone participants felt the risks were worth taking, and that targeting did not necessarily mean abuse.

- *S'ils suspectent le groupe xyz, ils devraient surveiller le groupe ethnique xyz. Aucun lien avec la race, c'est de la sécurité. (If they suspect any given ethnic group, they should concentrate their surveillance on them. This is not racism, only sound security measures.)*

Others said the risk was acceptable because of the control mechanisms, and because the law was realistic, balanced, reassuring and "*better than nothing.*"

- *If it's abused, we have the power to fight it.* (Toronto Group 1)
- *It is reportable, the reporting is very important.* (Calgary Group 1)
- *It is a reality; it reflects the new world order.* (Montreal Anglophone Group 3)
- *I see a balance between the rights of the individual and the security of the nation.* (Toronto Group 3)
- *The law will reassure the population more than reduce the risk of terrorism.* (Montreal Group 1)
- *Would be more mistakes in other countries, fewer mistakes in Canada.* (Vancouver Group 1)

- *Our justice system may have flaws, may not be perfect, but what's the alternative?* (Calgary Group 3)

On the other hand, some participants in various groups found the risk unacceptable because of police mistrust, the Orwellian-like preventive section where you are guilty until proven innocent, perceptions of terrorists as able to counteract preventive efforts, and because it was not really necessary.

- *One bad cop could ruin it for all, the legislation itself is excellent but it is the potential for abuse by one bad cop.* (Calgary Group 2)
- *The investigative section is acceptable but the preventive is not acceptable. It becomes like George Orwell's 1984, also . . . in this policy, you are guilty until proven innocent.* (Calgary Group 1)
- *Terrorists will do what they need regardless of the laws in place: it will work only with concerted world effort.* (most Toronto Group 3 participants agreed)
- *Mostly window dressing. My impression that most of this stuff is in the Criminal Code.* (Vancouver Group 3)

In sum, even though participants were concerned about potential abuses, the majority preferred the risk of having the ATA to the risk of not having anti-terrorism legislation.

4.4 Impact of the Anti-Terrorism Legislation

4.4.1 Perceived Impact

Participants tended to interpret questions about the impact of the anti-terrorism legislation on their personal lives in an extremely broad context -- for example, according to one respondent

> ➢ *The only impact is to hear [about] it 24 hours – adds to stress, that you're not safe anymore.* (Toronto Group 1)

Overall, there were only a handful of stories told that seemed to relate directly to the legislation. One Calgary respondent with a popular Middle Eastern surname did not receive mail for an entire week after 9/11 and then it came all at once. A woman in the Montreal Anglophone non-visible minority group personally witnessed the phone-tap of her Arab friend. A Toronto stewardess in the non-visible minority group said her life at work had been completely disrupted by frequent airport security checks.

Actually, many participants confused the notion of legislative impact with the impact of 9/11 events, and the increased discrimination against mainly visible minorities, especially those of mid-eastern descent, which ensued. In all groups, this tended to become the focus of conversations related to impact.

Discriminatory incidents after 9/11 were generally thought to be on the rise by most in this study, who cited occurrences at the workplace, in daily activities (riding public transit), when trying to rent or buy a home, at schools, places of worship, and in social relationships. In the Montreal Arab/West Asian group, for example, the question was followed by a long silence, after which each participant was able to mention an example of the impact they or their close ones had felt. Even those in the non-visible minority groups had either witnessed or heard about discriminatory episodes.

Some participants had simply become more aware of increased tension, suspicion and different treatment than before 9/11. Montreal francophones of Arab/West Asian descent said they tried to avoid discussing certain subjects in public out of fear of generating suspicions

> ➢ *If you go to smaller all white communities, you will be treated differently.* (Toronto Group1)

In sum, real or actual legislative impact seemed to be quite low, but because participants confused legislative impact with post-9/11 impact, the general perception was that discrimination against and suspicions about visible minorities was on the rise.

4.4.2 Reported Personal Post-9/11 Incidents

Apart from incidents involving the police and discrimination in general, the most frequently mentioned personal impact after 9/11 occurred in 5 main areas: (1) travel in and outside of Canada, (2) customs incidents, (3) passports and other personal identification, (4) commercial transactions, and (5) workplace changes.

1) Travel incidents, restrictions or mistreatment were quite common in most groups, and focused mainly on increased security and more searches at airports and border points, especially at US borders, where some had been singled out.

   - One Calgary respondent was taken off a plane at London airport to be checked – while he accepted it because he had no other choice, the rest of his group found this very offensive.
   - A Toronto respondent told how the Greyhound bus he was on was stopped at the US border, while it took almost an hour for 3 visible minority "*kids*" to be searched and questioned.
   - *We are paying with our racial profile, with our rights – my wife is scared to travel.* (Halifax Group 1)

2) Customs incidents were also described in most locations, including more questions and searches.

   - A Toronto woman had a friend who was stopped and asked if she had a bomb around her waist.
   - *Someone I know, a Hungarian artist coming to perform a concert, missed his flight because he was held so long at customs. He felt Canada must be the safest country in the world because of this.* (Calgary Group 3)

3) Passports, permanent resident cards and birth certificates were now harder to get, with longer waiting periods, according to participants in various locations.

4) Commercial transactions were affected – some reported that it was now more difficult to wire money overseas, and to transfer funds between bank accounts in different locations.

5) Workplace changes, mentioned by several respondents, were positive in nature, and included new security measures, "*what if*" discussions at the management level, and a zero tolerance policy against discriminatory remarks.

4.4.3 Feelings of Safety and Security

Overall, most participants said that from what they had learned about the ATA in the discussions (whether correctly or incorrectly interpreted or understood), they now felt either more safe and secure or about the same. However, a minority felt less reassured and less secure.

Participants generally felt safer (to varying degrees) because the legislation at least afforded some protection against terrorism – but no one believed it would or could prevent terrorism. Many had not seen terrorism as a serious threat in Canada in the first place. However, in all 5 locations, those who felt safer or the same did have some reservations about the legislation.

- *The law will not stop everything.* (Montreal Group 3)
- *I feel more secure, with some side effects.* (Vancouver Group 1)
- *Safer, but the innocent need to be protected.* (Calgary Group 1)
- *More secure from terrorists, but my privacy is invaded, but I guess that's the price you pay.* (Toronto Group 2)
- Some Group 1 participants in Montreal said they felt safer collectively, but had less individual freedom. While they already felt safe in Canada (why they chose to come here in the first place), they said that with the legislation, they had lost some freedom of speech, and were at risk of being targeted by the measures.

Those in various locations who felt less safe after learning about the ATA said it was due to fears of potential police abuse and loss of freedom.

- *I am more scared of the government now than I was before - they have all these powers now! (I was mistrustful before) - can lead to corruption.* (Calgary Group 1)
- *More concerned about the government's powers, what's behind this, than I feel safer from the terrorists -- lost more of your freedom, and you don't even know about it.* (Calgary Group 2)

One respondent from Halifax expressed mixed feelings on this issue. While on the one hand the legislation's existence implied a possible terrorist threat (and fostered an unsafe feeling), on the other, a willingness to give the Canadian government the benefit of the doubt implied increased credibility and trust (and fostered a safe feeling)

- *The need to implement such legislation means we are potential victims of a terrorist attack in future, an attack might be inevitable -- maybe the government knows something we don't know.* (Halifax Group 1)

In sum, most participants said they felt either safer or the same with what they had learned about the ATA during the discussions.

4.5 CONCLUDING COMMENTS

As in any qualitative research, reactions collected during focus groups are snapshot-time impressions, which may have been coloured in a positive or negative way by various factors. It is important to identify such possible influences to help the reader put the findings into perspective or context.

Having looked at respondent reactions to the ATA, there were 10 factors that may have influenced or played a role. It is useful to explore some of these themes, which emerged during the discussions, many of which were directly stated by respondents.

4.5.1 Possible Influences on Respondent Attitudes

Of the 10 possible factors, the first four could be called situational, and include (1) the timing of the groups, (2) respondents' countries of origin, (3) their educational and work backgrounds, and (4) media usage.

The remaining six factors could be termed attitudinal, since they exerted more of an indirect and subtle influence, and stem not only from the situational factors, but also from respondents' personal experiences. These factors involve respondent perspectives, general attitudes and frames of reference or mindsets about (5) Canada and its role in the world, (6) the United States and its role in the world, (7) racial discrimination, (8) perceptions about terrorism, (9) contrasting perspectives about the police, and (10) an appreciation of Canada's innocent-until-proven-guilty justice system.

These influences and themes are included to provide some respondent context, in order to appreciate and better understand people's reactions to the ATA provisions explored in this study.

Timing of the groups

Most groups were conducted in the 2-week period leading up to the US war with Iraq (in March, 2003). In fact, the 6 groups in Toronto and Calgary were held within the 48-hour warning period leading up to the beginning of the war, and the 3 Vancouver groups were conducted a day or two after bombing had started.

Given the current events and worrisome climate, and the sensitive nature of the topic, there seemed to be 3 major effects of timing on discussions, one of them positive and the others less so: (1) appreciation of Canada's non-involvement in the war against Iraq, (2) a general heightened awareness, tension and apprehension, and (3) a strong antipathy towards US aggression and foreign policy.

1) A strong general appreciation for Canada's non-involvement in the US-led war effort in the days leading up to the war and after it started may have fostered a greater trust in decisions made by the Canadian government;

2) A general heightened awareness, tension and anticipation -- based on increased media exposure to what-could-happen scenarios, and on high anti-terror security alerts in both the US and Canada, including the newly created US Department of Home Security-- may have increased the concern of many visible minority participants (especially those of Group 1 ethnicities) about possible backlash against their communities, and may have placed potential discrimination more in focus than it might otherwise have been.

3) A strong antipathy towards American aggression and foreign policy emerged in most groups. Not surprisingly, a few Vancouver participants expressed anger, not only because of the "*invasion of Iraq*" but also because of former US policy in Iran (putting the Shah in power) and elsewhere.

Respondents' countries of origin

Many foreign-born participants told us at various points during the discussion that they came from countries where the Canadian style of democracy did not exist. Many Canadian-born participants had family members who still lived back in their heritage countries, and some had relatives in Canada with first-hand memories of what it was like back home – some positive and some not.

During discussions, participants in most groups referred to their particular ethnic background or heritage when talking about the various ATA provisions and what they considered to be related topics. Many indicated the effect this had on their value systems – and often spoke of a stark contrast between Canada and their homelands, especially with regard to (1) individual civil rights and liberties (or lack thereof in their homelands), (2) the legal and policing systems (which were sometimes referred to as "*corrupt*" and "*brutal*" back home), and (3) their feelings about people in authority (trust, vs. fear-based obedience back home).

The overall impact this may have had on their reaction to the legislation was positive. Participants generally tended to trust rather than mistrust the Canadian government and legal system – which may help explain why after spending considerable time discussing their concerns about various aspects of the ATA, they still supported and accepted all the provisions of the legislation under study. It also may explain the very positive response to the reporting obligation safeguard, and the potential support for the sunset clause, a safeguard that was not generally seen as such.

Respondents' educational and work backgrounds

All groups had a mix of participants with differing levels of education and work backgrounds, including (1) highly educated professionals (e.g., physicist, engineer, management consultant, teacher, computer systems analyst, controller, financial planner); (2) those with some specialized

training (e.g., stewardess, chef, nurse, massage therapist, photographer, baker, book designer, cosmetologist); (3) those in blue collar occupations (e.g., trucker, waiter, retail sales, daycare worker); and (4) some university or college students, studying diverse subjects (e.g., film production, photography, chemical engineering, philosophy, and one studying the law).

In addition, there were varying degrees of fluency with the English or French language, both written and spoken.

While the educational/work factor could apply to many qualitative studies, on this particular project it is important to note that some participants had an easier time reading and understanding the printed handouts, and explaining their points of view, than others. In fact, some had noticeable difficulty (even with the simplified handouts). As one Vancouver woman explained:

> ➢ *Is very difficult for me to understand the English on the handouts. Want to be more active than what is on paperwork.* (Vancouver Group 1)

It was often the more articulate participants who would first comment on a specific aspect of a particular handout and raise the relevant issues. Others in the group would then give their views, agreeing or disagreeing, as the case may be. This is not at all unusual in a focus group setting – someone must always initiate the discussion.

However, one main effect of educational differences and language difficulties may have been that not all aspects of the handouts were covered or discussed, given the 2-hour time constraints, and that some details were discussed briefly only by certain groups (as has been pointed out in the report).

Another effect might shed some light on why most participants did not spend a great deal of time discussing the positive aspects of the various ATA provisions. After saying "*I like it,*" "*It's good,*" or "*I agree,*" it was hard for many to elaborate further and explain why they felt this way, other than to make general statements like "*We need to do something*" (which appear frequently throughout the report). Once a concern had been raised, the conversation then focused on that particular issue and then on others. It is important to note here that all of the ATA provisions explored received the support of the majority of participants, regardless of the concerns expressed.

Media consumption and exposure

In all locations people indicated they got their information about national and international news and current events from (1) TV, (2) newspapers, (3) radio, and (4) the Internet:

1) TV -- from both Canadian and American network and cable sources, and some from various groups relied on BBC broadcasts (on CBC Newsworld).

2) Newspapers -- many read local, national and/or international newspapers, to varying degrees. In most groups, only a few read the ethnic press or papers in their mother tongue.

3) Radio was relied on to a lesser extent than TV or newspapers.

4) The Internet was a news source for a few in most groups – sometimes people used the home pages of large Internet service providers (e.g., MSN), or national or international news sources.

The main impact is that media exposure to (1) American incidents involving terrorist suspects, (2) post 9/11 backlash in the US against Arabs and Muslims, (3) racism per se in the US, and (4) perceived abuse of American police power may have contributed directly into participant concerns about what might happen here in Canada.

Canada and its role in the world

The word Canadian had deep resonance with almost all participants in this study. People in all groups expressed pride and sometimes deep emotion when they talked about 5 main positive benefits of living here: (1) the freedom they found here; (2) Canada's multi-cultural make-up; (3) Canada as a democracy; (4) Canada as a safe and peaceful place to live; and (5) Canada's peace-keeping role and reputation in the world, and it's neutral or non-aggressive foreign policy, which was unlikely to agitate terrorists.

All of the above were reasons why participants said they or their families wanted to come to Canada in the first place. As mentioned in the timing factor, some in various groups expressed strong appreciation about the recent decision that Canada would not participate in the US-led war with Iraq.

Appreciative feelings about Canada as a peaceful, multi-cultural and democratic country may have contributed to the general level of trust that many participants placed in the country's lawmakers, and seemed to provide a positive framework with which to view the ATA provisions under study.

The United States and its role in the world

Throughout the discussions, participants in all locations expressed strong reservations about 6 main aspects of American culture and foreign policy: (1) US aggression, particularly with regard to Iraq, but a few were also angry about Iran; (2) US world power and dominance, and its general influence over Canada; (3) US media bias; (4) racism in the US, historically an issue, but on the increase since 9/11, especially against Muslims or visible minorities from the mid-east – including racial profiling; (5) violence in the US, more prevalent against visible minorities since 9/11; and (6) abuse of police powers in the US, more frequent since 9/11.

Unquestionably, participants in all groups were glad they did not live in the US. However, some said they worried that Canada might become more like the US if their concerns about the ATA materialized. Some also pointed out that they mistrusted American sources of information, especially with regard to the listing and financing provisions.

Racial discrimination

On the whole, participants felt there was comparatively little racial discrimination here in Canada, which they attributed largely to its multi-cultural make-up, and to its peaceful, neutral, non-aggressive positioning.

But for some in various groups, discrimination had existed long before 9/11, mainly in subtle ways. For example, a Vancouver man from Iran said that when he first came to Canada, years ago, he had to pay 12-months rent in advance because he did not have credit, and was "*not treated as equally*" as others.

Since 9/11, however, participants mainly from the 3 larger urban centres (Montreal, Toronto and Vancouver) said they worried that racial discrimination was on the rise, particularly against Muslims, people who looked like they might be Muslims, or people who came from Muslim countries. This feeling seemed to be based on a cumulative effect of perceived racism in Canada and the US (more so in the US). Participants described incidents at places of worship, at their children's schools, while riding public transit and while job seeking. For example:

- Some Montreal francophone participants of Arab/West Asian ethnic origins in Group 1 experienced discomfort at even being asked to name their country of origin, conscious that it could evoke negative reactions and feelings. (We note here that this was the exception rather than the rule, and that in general, participants did not hesitate to refer to their ethnicity if it would help explain their view).

  - *Je ne dis pas d'où je viens car c'est plein de connotations. (I don't say where I come from; there are too many negative connotations.)*

- Someone from the Toronto's Group 3 recalled that a Hindu temple in Hamilton was vandalized because people thought it was a mosque; at a job interview, a woman from Vancouver's Group 1 was told to go work in her community; in Montreal, some children from the Muslim community suffered verbal abuse from other children.

- Some visible minority participants in Toronto experienced or observed Muslim men and women being taunted on the subway. For example, a woman from the Arab/West Asian group spoke of her son's post 9/11 subway ride -- someone told him he "*shouldn't be riding on our subway*" – but other riders supported her son.

While the current level of post-9/11 backlash was worrisome, racial discrimination and/or the potential for it was an ongoing ever-present issue of concern for many in this study, and may have had an impact on reaction to all aspects of the ATA.

Perceptions about terrorists

In most groups, there seemed to be a rather prevalent and consistent impression of terrorists as people or groups who possessed certain characteristics. Terrorists were often referred to or described as (1) extremely clever, cunning and shrewd; (2) invisible but everywhere; (3) determined and desperate; (4) exceedingly well organized; (5) wealthy enough to afford the best legal help; and (6) able to operate above and beyond any laws, national or international. We feel that these impressions, viewed collectively, seem to constitute a mythology of sorts, or at the very least a somewhat idealized notion about terrorists, far-removed from reality.

In addition, some participants – including those in Group 1, felt that terrorists were sometimes wrongly identified as such, as exemplified in this typical comment:

- *"One man's freedom-fighter is another man's terrorist."*

Such perceptions about terrorism and terrorists seemed to have a strong and somewhat negative impact on the perceived effectiveness of the ATA and its various provisions to prevent terrorism. Many participants told us they did not think any legislation could actually prevent terrorism, although it could make it more difficult for terrorists to operate, which the ATA and its provisions were seen to do.

Contrasting police perspectives

For the most part, it could be said that on the whole, Canadian police were seen as a benevolent protective group, certainly compared to what people referred to as "*brutal*" and/or "*corrupt*" police forces in many respondents' countries of origin. For example, one participant from the Calgary non-visible minority group stated:

- *I grew up in a policing society (Hungary), and I like it that we don't have that here* (Calgary Group 3).

However, there were participants in various groups who said they had either personally experienced the brunt of what they interpreted as discriminatory behaviour on the part of Canadian police, or, they knew someone or about someone who had. For example:

- One Toronto man from El Salvador and his friend had been beaten by police at Cherry Beach, about 10 years ago after having been arrested for drinking alcohol at a movie theatre. Two women from visible minority groups in different locations told similar stories about police harassment – one was ticketed for not wearing a seatbelt (when she was), and another was threatened if she reported the officer for giving her an unjust speeding ticket – both felt that the colour of their skin was a factor.

Both the positive and negative perspectives played out during the discussions, and may have affected how participants reacted to the ATA handouts.

Appreciation of Canada's fair justice system

Participants in all groups consistently displayed deep feelings of pride and appreciation about Canada's fair justice system. One extremely important aspect of that fairness, cited in all 16 focus groups, was that people were considered innocent until proven guilty.

However, there was a strong and prevailing perception that certain provisions of the ATA (the listing and financing provisions, and the new investigative and preventive police powers) did not conform to the fairness they expected, and seemed to negate the innocent-until-proven-guilty tenet. This was cause for considerable concern.

Participants reacted negatively whenever they thought the onus was on the innocent to prove their innocence after they had been accused or arrested, and/or after the harm to them had already been done. These ideas were expressed while discussing various aspects of the ATA:

- The listing provision (which could automatically ruin an innocent person's life because of the public nature of the list, with the right to appeal viewed as the responsibility to prove innocence),
- The financing provision (whereby innocent people could be penalized and made to forfeit property if they did not know it was being used by terrorists, with the right to appeal seen as the responsibility to prove they did not know – again, with the onus on the innocent), and
- The new police powers, whereby innocent people could be arrested without sufficient proof of guilt or the usual due process.

It is important to note there that even though participants strongly appreciated the appeal process itself, they felt innocent parties could be harmed and/or labelled guilty before they had the chance to appeal, thus effectively placing the onus on them to prove their innocence during the appeal process.

It can be seen as a testament to the fundamental fairness of Canadian laws and its care for the innocent that participants wanted to see this fairness reflected in the ATA.

4.5.2 In Conclusion

To summarize the findings, discussion of the ATA and all of the provisions were met with approval or were accepted in principle or intent, along with a range of concerns.

- While the definition of terrorist activity was considered a good idea, it was not well understood; participants queried its possible misinterpretation, and its effect on legitimate protests, and confusion over the criteria led to some faulty assumptions.

- The intention of the listing of terrorist entities provision was viewed in a positive light, but strong concerns emerged over the public nature of the listing, possible ethnic minority stereotyping, doubts about accurate and credible information, the potential for misinterpretation, and loss of privacy. In addition, while the appeal concept was highly valued, most felt that harm to the innocent was done regardless.

- The financing of terrorism provision made sense despite concerns about harm to the innocent, the potential for misinterpretation, and about certain legislative aspects, which placed responsibility on individuals instead of on the government. Again, the highly valued appeal concept in the financing provision was mitigated since harm from publication was already done.

- Overall, there was general acceptance for the new police investigative and preventive powers, despite the perceived risks of abuse, including arrest of the innocent, targeting of ethnic minorities, possible misinterpretation, and potential police abuse. Participants generally approved of the wiretapping section, but were confused about the refusal to give information.

- The notion of safeguards garnered high approval. The sunset clause was poorly understood as a safeguard, and instead was seen as a government expectation that terrorism would not be a problem after 5 years, or as validation that police powers were dangerous. The reporting obligation to Parliament was well liked and well understood as a safeguard, which exerted some control over the application of police powers. However, some doubted that government transparency would prevail, and preferred an independent watchdog.

Overall, a majority of participants felt the risk of having the ATA and its new police powers was acceptable "*to better protect the country and the people.*" Most felt safer or the same with the legislation, and most hoped their reservations would not be validated. Overall, people adopted a "*wait-and-see*" approach.

APPENDIX 1

Discussion Guide (including handouts)

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March, 2003

DISCUSSION GUIDE
*** ATA ***

1. INTRODUCTION (10 minutes)

The initial stage of the discussion is to establish a level of confidence and a rapport between the moderator and the participants. Participants are informed of the purpose of the discussion and what is expected of them.

NOTE TO MODERATOR

1. **THE LEGAL LANGUAGE IN THIS GUIDE HAS BEEN MINIMIZED TO ALLOW FOR MAXIMUM RESPONDENT UNDERSTANDING, GIVEN THAT PARTICIPANTS ARE ETHNIC MINORITIES -- LANGUAGE REFLECTS THE ESSENCE AND IDEAS IN THE ANTI-TERRORISM ACT.**

2. **If participants ask why the group is constituted only of persons of a narrow range of ethnic backgrounds, say:** *We are interested representing the cultural diversity of Canada. In order to better understand the views of different sub-groups of Canadians towards the topic discussed this evening, we chose to constitute homogeneous groups. Sixteen groups will be constituted for this project to represent a good range of the multicultural diversity of Canadians.*

3. There may be a tendency to confuse the Canadian *Anti-terrorism Act* with U.S. measures, given the widespread publicity about American legislation and the actions taken against Canadian citizens. Keep the focus on the Canadian legislation.

GUIDELINES

- Word of welcome and introduction of moderator

- Objectives of the research: "This evening, we will talk about **what is being done to address the problem of terrorism, your general opinions on the current state of things, the legislation and tools available, on what is said on the issue.**" Of course, there are many other issues, which are related to terrorism but tonight; we will focus on the Canadian legislation dealing with terrorism.

- The purpose is to understand the views of the public with a special attention to the views of Canadians of different ethnic backgrounds. Findings will be used to help better inform Canadians.

- Confidentiality: "All your answers will remain confidential. Your name will not be communicated to anyone and your opinions will be combined with those of other participants.

- Observer behind one-way mirror / taping for note-taking purpose only.

- Moderator's role and neutrality (does not work for the government, is not a legal or criminology expert). Emphasize that no participant is a legal expert and that this evening's discussion doesn't require any specific knowledge. We are interested in opinions and reactions, not in "professional advice". This is **NOT** a consultation exercise.

- Participants' role
- Duration: 2h00
- Any questions?

GO-AROUND

- First name / age
- Occupation
- Question about mother tongue at the moderator's discretion
- How often do you watch the news on TV/radio? Read the newspapers – which ones?
- Use of ethnic media (TV, papers, radio)

2. AWARENESS OF THE ANTI-TERRORISM LEGISLATION (15 minutes)

So, this evening we will talk about terrorism and the Canadian anti-terrorism legislation. As you know, the issue of terrorism is not new in the world. Many societies are dealing with it in their own ways. As I said in the introduction, this is not a knowledge test. We are interested in your opinions and there are no wrong or right answers. All opinions are acceptable.

1. Do you know of any terrorist incidents in Canada prior to September 11, 2001?

2. How likely do you think Canada will suffer from a terrorist attack in the next 2 years?

3. Do you recall hearing about any actions that the government of Canada has taken to improve public security and combat terrorism in the past two years?

4. More specifically, do you recall the passing of the Anti-terrorism legislation in the fall of 2001, Bill C-36?

5. Do you know whether terrorist acts were dealt with in the Criminal Code before the anti-terrorism legislation was passed in 2001? (Crimes such as murder, hijacking, hostage taking)

If some participants are aware of the ATA, Ask:

- What do you know about the Anti-terrorism Act? Do you remember anything particular about it? (Do not probe deeper at this stage)
- How did you learn about it? (e.g. Mainstream media? Community Media? Ethnic media?)
- What feedback, if any, have you heard in your community?
- What do you think of the Anti-Terrorism Act?
- What is being said about it – by other people you know? – by the media?

Moderator: *Explore the following issues only if raised by respondents.*

1) Backlash of any real or perceived negative sentiments towards participants or their community

- *after September 11th*
- *as a consequence of the enactment of the anti-terrorism legislation*

Explore the following issues at your discretion, depending on discussion dynamics.

2) *What impact, if any, do you think the anti-terrorism law has had on the Charter rights of Canadians, such as the right to counsel?*

Moderator: *Distribute Handout #1* ***the brief description of the Anti-terrorism Act****. Say: this is a very brief summary of the Anti-terrorism Act. Please, take the time to read it.*

6. What do you think of this brief summary? (Moderator: probe also feelings)

7. Do you think the Canadian anti-terrorism law is tougher, less severe, or about the same as anti-terrorism laws in the United States and the United Kingdom for example?

8. Do you think that the fundamental individual rights and freedoms of Canadian are upheld in this law?

3. REACTION TO DEFINITION OF TERRORIST ACTIVITY (15 minutes)

Now we will look more closely to the contents of the Anti-terrorism Legislation. We will begin by the definition of a terrorist activity.

The *Anti-terrorism Act* defines what a terrorist activity is. If an activity meets the definition, then the specific measures, provisions, punishments, enforcement powers and investigative tools apply. I'll show you a brief description of this definition, and would like your views.

Moderator: *Distribute Handout #2* ***"Definition of a Terrorist Activity"***.

1. What do you think about this definition in the legislation? Is it too broad? Do you understand it?

2. Do you believe this is a useful tool in identifying who is a terrorist and who is not?

3. Did you know about this definition?

4. Would you like or do you think your community should have more information about these provisions?

5. This is the first time "Terrorist Activity" has been defined in Canadian law. Do you think we should have definitions like this to help prevent terrorist acts or offences?

4. REACTION TO LISTING OF TERRORIST ENTITIES (5 minutes)

There is a detailed procedure in the Act that outlines how a group can be listed as a terrorist group. Listing a group makes it easier to apply the measures, provisions, enforcement powers, investigative tools related to terrorism. For example, once a group is listed, it becomes illegal to deal with property that is owned or controlled by that organization. I'll show you a brief description of this procedure, and would like your views.

Moderator: *Distribute Handout #3* ***"Listed or Designated Entities"***.

1. What do you think about this provision in the legislation?

2. Do you think this provision will be effective in stopping fundraising by listed groups?

3. Do you believe this is a useful tool to disable organizations that are promoting terrorist activities?

4. Is this a useful approach to letting everyone know who the Government considers is definitely a terrorist?

5. Did you know about this provision?

6. Would you like or do you think your community should have more information about this provision?

5. REACTION TO FINANCING OF TERRORISM PROVISIONS (15 minutes)

We will now talk about provisions dealing with the financing of terrorism. I'll show you a brief description of these provisions, and would like your views.

Moderator: *Distribute Handout #4* ***"Financing of Terrorism"***.

1. What do you think about this provision in the legislation?

2. Do you believe this is a useful tool in stopping the flow of money going towards terrorist activities around the world?

3. Is this a useful approach to prevent terrorism and to safeguard us from potential danger?

4. Did you know about this provision?

5. Would you like or do you think your community should have more information about these provisions?

6. Have you ever thought that some charitable organizations may be potentially linked to terrorist groups?

7. Have you ever experienced problems or difficulty donating money to charitable organizations because they may be potentially linked to terrorist groups?

8. Do you think it will be more difficult in the future to donate money to legitimate charitable organizations?

6. REACTION TO INVESTIGATIVE AND PREVENTIVE POWERS (10 minutes)

Police get new investigative powers and preventive. I'll show you a brief description of these powers, and would like your views.

Moderator: *Distribute Handout #5* ***"New Investigative and Preventive Powers"***.

1. What do you think about these provisions in the legislation?

2. Do you believe these are useful tools in stopping terrorist activities before they occur?

3. Is this a useful approach to prevent terrorism and to safeguard us from potential danger?

4. Did you know about these provisions?

5. Would you like or do you think your community should have more information about these provisions?

7. REACTION TO SOME MECHANISMS ASSOCIATED WITH PREVENTIVE AND INVESTIGATIVE POWERS (10 MINUTES)

*The **new preventive and investigative hearing powers** will disappear after 5 years (called a "sunset" clause) unless both the House of Commons and the Senate pass a resolution to extend them for another 5 years.*

1. What do you think of this aspect of the law (the sunset clause)?

The Attorney General and Solicitor General of Canada are required to report annually to Parliament on the use of these new powers.

2. How do you feel about this obligation to report to Parliament?

3. Do you think this reporting requirement and sunset clause will provide enough opportunity for Parliament and Canadians to monitor how the Act is being used and to prevent its misuse?

4. Some people worry that the police might abuse these new powers and unfairly target legitimate citizens? How concerned are you about this?

   - Are you concerned that the police might unfairly target Canadians with a minority ethnic background? Why/why not?

   - Is this an acceptable risk – to give better protection to the country and the people, or not acceptable?

8. FINAL THOUGHTS-IMPACTS OF THE ANTI-TERRORISM LAW ON INDIVIDUALS, FAMILY AND COMMUNITIES (30 minutes)

Now that we have discussed a few important aspects of the new Canada's Anti-Terrorism Act

- *Definition of a terrorist activity*
- *Listing of terrorist entities*
- *New provisions dealing with conditions, preventive arrest and detention, investigative powers*
- *Financing of terrorism*

1. Have any aspects of the legislation had an impact on you personally in your daily activities? How about on your community?

2. In your judgement, has the Canadian anti-terrorism legislation had an impact on the following activities: By impact I mean, on you personally? On your community? Or on a community that you know of?

    1) daily activities such as on public transit, streets, restaurants, etc.
    2) Worship
    3) Encounters with police
    4) Social relationships
    5) Attendance to public events and recreational activities such as going to a movie or theatre
    6) Relationships with other people from your community
    7) Children in schools
    8) Travel in and outside Canada
    9) Dealings with Canada customs
    10) Dealings with other Canadian government services
    11) Commercial transactions such as buying or renting a house or apartment
    12) Job and workplace
    13) Other

3. Do you feel more safe and secure or less safe and secure, now that you know some elements of the Canadian anti-terrorism legislation?

4. Any other final comments?

THANK – CONCLUDE

HANDOUTS

1. BRIEF DESCRIPTION OF THE ANTI-TERRORISM ACT

In the fall of 2001, the Canadian Parliament passed new anti-terrorism legislation, Bill C-36. This Bill has taken steps to combat terrorism and terrorist activities at home and abroad through tough new anti-terrorism measures. The new package of legislation: creates measures to deter, disable, identify, prosecute, convict and punish terrorist groups; provides new investigative tools to law enforcement and national security agencies; and ensures that Canadian values of respect and fairness are preserved and the root causes of hatred are addressed through stronger laws against hate crimes and propaganda. The package also includes rigorous safeguards to ensure that the fundamental rights and freedoms of Canadians are respected.

- Bill C-36 is not just a reaction to events, but also to the United Nations Resolution (U.N.-S.C.R. 1373) that required all countries to implement anti-terrorism measures.

2. DEFINITION OF A TERRORIST ACTIVITY

- Any act -- committed or threatened -- in or outside Canada that falls within Canada's Criminal Code, AND all terrorist activities defined by the United Nations' Conventions that Canada has signed.
  - Includes the act itself, omission of, conspiracy, counselling, threatening…
  - Lawful protest activities are specifically excluded.

IN ADDITION, 3 other criteria have to be met

1) The activity has to be motivated in whole or in part for a political, religious or ideological purpose, objective or cause.

2) The activity has to be intended to:

   intimidate the public or a segment of the public (in or outside Canada)
   OR
   compel a government, a person, or an organization to do or not to do something (in or outside Canada).

3) The intended goal of the activity is:

   harm through violence or death, endangering someone's life or seriously risking the health or safety of people

OR

to interfere with or seriously disrupt an essential service, facility or system, public or private, other than as a result of work stoppage, protest, advocacy, or dissent.

3. LISTED OR DESIGNATED ENTITIES

The Solicitor General of Canada, based on sources of information, recommends to the Federal Cabinet that a group be designated and listed as a terrorist group when:

1) the group is acting on behalf of, at the direction of, or in association with a terrorist organization

2) when there are reasonable grounds to believe the group or person has carried out, tried to carry out, participated in or facilitated a terrorist activity.

This list is public and shared internationally - with governments of other countries.

The listed group or person has the ability to appeal the listing.

It is the Federal Cabinet that decides to make the designation.

4. FINANCING OF TERRORISM

- It is an offence to hold or provide a property or raise funds knowing that it will be used in whole or in part to carry out or help terrorist activities or a terrorist group (listed or not listed).
- There is a reporting obligation for anyone who knows about any property, which is owned, controlled by or on behalf of a terrorist group.
- Any property owned or controlled by or on behalf of a terrorist group may be frozen. Procedures for seizing, restraining and forfeiting the property are very similar to the previous Criminal Code.
- Any property could be forfeited if it is

  Used in whole or in part to carry out or help terrorist activities or by or for the benefit of a terrorist group

- Owned, controlled by or on behalf of a terrorist group.

- If someone or a group doesn't know they are involved in financing a terrorist activity, they can appeal and show that the offence was done without knowing.

- Financing offences have a maximum penalty of 10 years in prison.

5. NEW INVESTIGATIVE AND PREVENTIVE POWERS

Investigative powers

1. Any terrorist offence can be wire-tapped

   - Consent from a judge is required but

     - it is not necessary to demonstrate that no other methods would work

     - the person being wire-tapped doesn't have to be notified for up to 1 year and you can wiretap for up to 1 year (instead of 90 days for other criminal offences).

2. Only after following a strict process that brings an individual to court, can they be questioned if it is believed that they have information about

   - a terrorist offence

   OR

   - someone suspected of committing or planning to commit a terrorist offence

3. Information doesn't have to be used only to build evidence, but can be used to prevent a terrorist act. For example

   - it doesn't have to be about a terrorist activity, but about an offence that has been or will be committed.

   - The person questioned doesn't have to be the accused. People can be brought in as witnesses who can provide information.

   - It is an offence to refuse to give information

     - Although not a terrorist offence.

5. Continued: INVESTIGATIVE AND PREVENTIVE POWERS

Preventive powers

1. People can be ordered to stay within a certain area or location, and need to be accessible at all times. This is more formally known as a recognizance with conditions and is not

unlike a peace bond, which emphasizes, "keeping the peace."

- When there are reasonable grounds to fear that a person is going to commit or will commit a terrorist offence (e.g. could be related to financing or hiding someone).

  → Police get a peace bond from a judge and conditions can be imposed. If conditions are broken, the person can be arrested.

2. Preventive arrest when there are reasonable grounds to believe that

- a terrorist act will be committed or is about to be committed.

OR

- the arrest of a person (not necessarily the person who is going to commit the act), is necessary to prevent a terrorist act from being carried out.

  - Police get a warrant and the person is arrested.

  → If police believe it is urgent, the person can be arrested without a warrant.

    - In such a case, the person has to be brought before a judge within 24 hours.
    - This procedure is a technique to get the individual before a court for a ruling on whether to impose a peace bond.

APPENDIX 2

Ethnicity of Participants by Group

ETHNICITY OF PARTICIPANTS BY GROUP

	Halifax	Montreal French	Montreal English	Toronto	Calgary	Vancouver
Group 1	total 7 (2 f, 5 m) ▪ Jordanian (1) ▪ Lebanese (3) ▪ Libyan (2) ▪ Pakistani (1)	total 8 (3 f, 5 m) ▪Algerian (3) ▪Moroccan (3) ▪Tunisian (2)	No groups	total 10 (5 f, 5 m) ▪Arabic (1) ▪Afghani (1) ▪Armenian (1) ▪Egyptian (1) ▪Pakistani (2) ▪Persian (2) ▪Syrian (1) ▪Turkish (1)	total 5 (1 f, 4 m) ▪ Algerian (1) ▪ Egyptian (1) ▪ Lebanese (1) ▪ Pakistani (1) ▪ Sudanese (1)	total 7 (3 f, 4 m) ▪Afghani (1) ▪Iranian (3) ▪Iraqi (1) ▪Pakistani (2)
Group 2	total 7 (4 f, 5 m) ▪African (2) ▪Brazilian (1) ▪Chinese (2) ▪Grenadian (1) ▪South Asian (1)	total 8 (4 f, 4 m) ▪Chilean (1) ▪Guatemalan (1) ▪Haitian (1) ▪Venezuelan (1) ▪Ivory Coastian (2) ▪Gabonese (1) ▪Chinese (1)	No groups	total 10 (5 f, 5 m) ▪Chinese (2) ▪El Salvadorean (1) ▪Jamaican (1) ▪Japanese (1) ▪Paraguayan (1) ▪Filipino (3) ▪Somalian (1)	total 9 (2 f, 7 m) ▪Cambodian (1) ▪Chinese (1) ▪South Asian (3) ▪Mexican (1) ▪Tanzanian (3)	total 9 (4 f, 5 m) ▪African-American (1) ▪Chinese (5) ▪South Asian (2) ▪Malaysian (1)
Group 3	total 9 (4 f, 5 m) ▪Croatian (1) ▪Danish (1) ▪European (1) ▪Finnish (1) ▪Greek (1) ▪Italian (2) ▪Polish (2)	total 10 (5 f, 5 m) ▪Metis (1) ▪Italian (2) ▪Polish (2) ▪Romanian (1) ▪Russian (3) ▪Spanish (1)	total 10 (4 f, 6 m) ▪ Chinese (1) ▪ Finnish (1) ▪ Nicaraguan (1) ▪ Polish (1) ▪ Russian (1) ▪ Slovenian (2) ▪ Vietnamese (2)	Total 10 (5 f, 5 m) ▪Croatian (1) ▪Irish (1) ▪Bosnian (2) ▪Italian (2) ▪Jewish (2) ▪Romanian (1) ▪Spanish (1)	total 9 (5 f, 4 m) ▪ Estonian (1) ▪ German (2) ▪ Italian (1) ▪ Hungarian (2) ▪ Polish (3)	total 10 (6 f, 4 m) ▪Metis (1) ▪Bulgarian (1) ▪Croatian (1) ▪German (1) ▪Italian (1) ▪Austrian (1) ▪Dutch (1) ▪Russian (1) ▪Scandinavian (1) ▪South African (1)

APPENDIX 3

2001 – Census of Canada: Ethnic Origin Groups

Ethnic Origin

Source: Statistics Canada Œ Catalogue No. 92-378-XIE
2001 Census Dictionary Œ Internet Version, Appendix C, p.297-302

Definition: Refers to the ethnic or cultural group(s) to which the respondent(s) ancestors belong. In 2001, the respondent was asked is: To which ethnic or cultural group(s) did this person(s) ancestors belong? The 2001 question of ethnic origin did not include any mark-in categories. Participants were required to write in their ethnic origin(s) in four write-in spaces. In 2001, the ethnic origin question gave 25 examples: Canadian, French, English, Chinese, Italian, German, Scottish, Irish, Cree, Micmac, Métis, Inuit (Eskimo), East Indian, Ukrainian, Dutch, Polish, Portuguese, Filipino, Jewish, Greek, Jamaican, Vietnamese, Lebanese, Chilean and Somali.

Ethnic Origin Groups

British Isles Origins
English
Irish
Scottish
Welsh
British, n.i.e.

Canadian Origins
Canadian

French Origins
Acadian
French

Aboriginal Origins
Inuit
Métis
North American Indian

North American Origins
American
Canadian
Newfoundlander
Québécois
Other provincial or regional groups

Caribbean Origins
Antiguan
Bahamian
Barbadian
Bermudan
Cuban
Dominican
Grenadian
Guyanese
Haitian
Jamaican
Kittitian/Nevisian
Martinique
Puerto Rican
St. Lucian
Tobagonian
Trinidadian/Tobagonian
Vincentian/Grenadinian .
West Indian
Caribbean, n.i.e.

Latin/Central/South American Origins
Argentinian
Belizean
Bolivian
Brazilian
Chilean
Colombian
Costa Rican
Ecuadorian
Guatemalan
Hispanic
Honduran
Maya
Mexican
Nicaraguan
Panamanian
Paraguayan
Peruvian
Salvadorean
Uruguayan
Venezuelan
Latin/Central/South American, n.i.e.

European Origins

Western European Origins
Austrian
Belgian
Dutch (Netherlands)
Flemish
Frisian (Netherlands)
German
Luxembourger
Swiss

Northern European Origins
Danish
Finnish
Icelandic
Norwegian
Swedish
Scandinavian, n.i.e.

Eastern European Origins
Byelorussian
Czech
Czechoslovakian
Estonian
Hungarian (Magyar)
Latvian
Lithuanian
Polish
Romanian
Russian
Slovak
Ukrainian

Southern European Origins
Albanian
Bosnian
Bulgarian
Croatian
Cypriot
Greek
Italian
Kosovar
Albanian
Macedonian
Maltese
Montenegrin
Portuguese
Serbian
Slovenian
Spanish
Yugoslav, n.i.e.

Other European Origins
Basque
Gypsy (Roma)
Jewish
Slav (European)
European, n.i.e.

African Origins
Afrikaner
Akan
Ghanaian
Angolan
Ashanti
Black
Burundian
Cameroonian
Congolese

East African
Eritrean
Ethiopian
Ghanaian
Guinean
Ibo
Nigerian
Ivoirean
Kenyan
Malagasy
Malian
Mauritian
Oromo
Rwandan
Senegalese
Seychellois
Sierra Leonean
Somali
South African
Sudanese
Tanzanian
Togolese
Ugandan
Yoruba
Zairian
Zimbabwean
African (Black), n.i.e.
African, n.i.e.

Arab Origins
Algerian
Berber
Gujarati
Kashmiri
Pakistani
Punjabi
Nepali
Sinhalese
Sri Lankan
Tamil
South Asian, n.i.e.

East and Southeast Asian Origins
Burmese
Cambodian
Laotian
Chinese
Indonesian
Japanese
Khmer

Egyptian
Iraqi
Jordanian
Kuwaiti
Lebanese
Lybian
Moroccan
Palestinian
Saudi Arabian
Syrian
Tunisian
Yemeni
Maghrebi,n.i.e.
Arab, n.i.e.

West Asian Origins
Afghan
Armenian
Assyrian
Azerbaijani
Georgian
Iranian
Kurd
Pashtun
Tartar
Turk
West Asian, n.i.e.

South Asian Origins
Bangladeshi
Bengali
Goan
Burmese
Filipino
Korean

Malaysian
Mongolian
Taiwanese
Thai
Tibetan
Vietnamese
Asian, n.o.s.
East/Southeast Asian, n.i.e.

Oceania Origins
Fijian
Hawaiian
Maori
Australian
Polynesian
New Zealander
Pacific Islander, n.i.e.

Note: n.i.e. = Not included elsewhere
n.o.s. = not otherwise specified